

MINUTES OF THE HOUSE COMMITTEE ON BUSINESS, COMMERCE AND LABOR.

The meeting was called to order by Chairperson Al Lane at 9:08 a.m. on January 28, 1999 in Room 521-S of the Capitol.

All members were present except: Rep. Broderick Henderson - excused
Rep. Jerry Henry - excused
Rep. Dale Swenson - excused

Committee staff present: Bob Nugent, Revisor of Statutes
Jerry Donaldson, Legislative Research Department
Dennis Hodgins, Legislative Research Department
Bev Adams, Committee Secretary

Conferees appearing before the committee: Michael Byington, Envision
Martha Gabehart, KDHR

Others attending: See attached list

The Executive Summary from the booklet, Serving the Kansas Workforce, an Inventory of Programs and Policies, printed by the National Conference of State Legislatures in October 1997, was handed out to the committee. Copies of the summary were requested by Rep. Henry at the last meeting. (See Attachment 1)

Introduction of Bills:

Michael Byington, Director, Governmental Affairs Office, Envision, asked the committee to introduce a bill that would strengthen the enforcement provisions of the Kansas Use Law. (See Attachment 2) Rep. Welshimer made a motion to introduce the bill as a committee bill. The motion was seconded by Rep. Grant. The motion carried.

Chairman Lane made a bill request concerning the rate for unemployment tax once the moratorium on payments is ended. A motion was made by Rep Grant to introduce the bill. It was seconded by Rep. Humerickhouse. The motion passed.

Chairman Lane and Terry Leatherman, Kansas Chamber of Commerce and Industry (KCCI), discussed before the committee a proposal that has been heard in the Employment Security Advisory Council (ESAC) that would change the unemployment tax structure from a reserve ratio system to a benefit ratio system, a more experience driven method of collecting taxes. It would not change the tax yield, the same amount would be collected. Terry Leatherman stated that a bill has been requested in the Senate Commerce Committee that may cover this issue. Both of these measures would be needed once the moratorium is over.

Presentation by:

Martha Gabehart, Executive Director, Commission on Disability Concerns (KCDC), Kansas Department of Human Resources (KDHR), appeared to give the committee an overview of the commission. It is an information and referral source to educate the people of Kansas about the employment, public accommodations and public service requirements of the Americans with Disabilities Act (ADA). To obtain information, you can call, use the Internet, send E-mail or obtain information from their library of resource material or publications from the federal government. They will also make presentations and provide seminars or workshops. Included in her handouts was the KCDC newsletter, brief writeups of ADA court cases, and possible legislation that the commission has or may later introduce in the 1999 Legislature. (See Attachment 3) Ms. Gabehart concluded her presentation by answering many questions from the committee members.

Chairman Lane adjourned the meeting at 10:05 a.m.

The next meeting is scheduled for February 2, 1999.

EXECUTIVE SUMMARY

Enacted and proposed changes and consolidations in federal vocational and job training programs, combined with added federal emphasis on developing school-to-work systems (in Kansas it is referred to as school-to-careers), means many states will need to rethink how young people are prepared for their first jobs and how people already in the workforce can be retrained for different or better jobs. Although millions of dollars are spent on workforce development programs each year, most states have no comprehensive system for workforce development, nor do they have adequate outcome measures for current programs.

State reliance on federal mandates and complex funding streams, differing eligibility requirements, overlapping services and turf battles among constituency groups as well as administering agencies combine to create a confusing and sometimes mysterious web of programs. There are at least 125 federal employment and training programs regulated by six different federal agencies that are administered primarily by the states. For example the federal government has recently developed an additional categorical program for welfare-to-work grants, adding yet another layer of programs the states will have to deal with. States need to consider building a coherent system from the many school-to-career opportunities and workforce preparation programs.

To make informed decisions about these changes, states need to have accurate and objective information about their current systems, programs, strategies and funding. An inventory of all programs is the first step toward any workforce development reform. An inventory of programs and policies can highlight the number of separate programs operating independently that serve overlapping purposes and duplicate bureaucratic staff, administrative processes and program services. Many programs lack effective measurement tools and data to determine whether the programs are successful. Because of this lack of accountability, taxpayers often question whether public funds are being spent effectively.

Kansas has been active on several fronts: planning one-stop career centers, designing a school-to-career system and reforming welfare. Very little legislative action has dealt with workforce development in recent years, except for the funding of current programs. The agency people in charge of many of the current programs are well-informed and understand the need to examine reform options.

Four agencies in Kansas provide most workforce development and school-to-career programs. These include the departments of Commerce and Housing, Education, Human Resources, and Social and Rehabilitative Services. The Department of Corrections also has a few programs. Within these departments are more than 40 major programs that serve workforce development and school-to-career needs; within many of those programs are still more programs. Major funding for many

of these programs include federal money from the U.S. Department of Education and the U.S. Department of Labor under the Wagner-Peyser Act, the Carl Perkins Vocational Education Act, the Job Training Partnership Act, school-to-work grants and one-stop grants. Federal welfare, no longer an entitlement, now is available as a block grant to the state (Temporary Assistance for Needy Families-TANF) and is tied to specific state performance goals and specific time limits and work requirements. State general revenue also represents a significant funding source for workforce development programs which tries to fill the void not covered by federal programs but sometimes duplicates federal efforts. It is conservatively estimated by the figures in this report that more than \$400 million are spent on workforce development programs in Kansas. This amount does not include many of the programs that were unable to provide expenditure amounts.

The specific requirements and constraints of federal funding often prevent the co-mingling of various federal funding streams. The funding constraints—in addition to other federal requirements—create frustration and impede service delivery, according to many Kansas program directors.

This inventory gives an overview of Kansas workforce development, including the complexities created by multiple programs serving a variety of specific constituencies. It is intended to help the state advance to a strategic planning phase where decisions can be made about how to create a system that more efficiently and effectively serves the Kansas workforce development needs.

Kansas may want to consider changes from the menu of options listed below. Many of these ideas are being debated and implemented in other states. Policymakers may want to research and debate these choices, as well as others, in order to make the right choices that will be fit Kansas and its workforce needs.

Some of the following changes may be examined as options for Kansas:

Structural Options

- Develop a statewide strategic plan that includes a coordinated system of services.
- Establish by statute a state-level body to strategically plan, oversee and evaluate all workforce development programs and serve as the state's human resource investment council (to provide oversight and management of all employment, training and related delivery systems).
- Consolidate workforce development programs under one agency.
- Develop a performance management system with state benchmarks, outcomes or performance measures and accountability or loss of funding.
- Develop a state skill standards board that creates a statewide system of industry-defined and industry-recognized skills standards and credentials coordinated with national skill standards initiatives.
- Develop an integrated case management system that allows agency staff to review relevant information about client service history and program objectives without breaching confidentiality (this may include common intake forms and databases and shared assessments).
- Create a networked computer system that would improve program accountability, performance and access to data about jobs and job seekers.
- Seek federal waivers and regulatory relief to coordinate and simplify federal and state funding mechanisms.

Policy Considerations

- Define workforce development and gain a common understanding of the term.
- Create a system that is outcome focused, client driven, adaptable, coordinated with other programs and locally controlled.
- Structure programs that are responsive to the needs of the clients and tied to the needs of employers.
- Consider the needs of those workers already in the workforce.
- Serve the needs of rural workers as well as those of urban workers.
- Develop the ability to break down the budget for each technical education program.

Local Connections

- Create local or regional workforce development boards with approved workforce plans. These boards would plan and oversee the delivery of all workforce training and services programs and evaluate all workforce development policies and programs in the area. Funds could be block grants to the local workforce development boards.
- Increase input from businesses about occupational needs.
- Create business incentives for training employees.
- Create partnerships among education, training and business.
- Develop curriculum linkages between high schools, colleges and technical institutions.

Expansion and Continuation of Programs

- Continue to expand school-to-career opportunities.
- Increase agency involvement with the school-to-career plans.
- Continue to develop one-stop centers.
- Market and advertise available education and training services.
- Provide funding and budget training for program directors.
- Develop plans to expand services.

Kansas may want to assemble a team made up of representatives from the private sector, education, labor, the state legislature, the governor's office and state agencies to begin the process of deciding the direction of the Kansas workforce development policy. The team should examine the information gathered in this inventory and, using the assets Kansas already has, begin to set goals, objectives and activities that can move Kansas to a more efficient and effective workforce development system. Kansas has an opportunity to join a handful of states that are reshaping their workforce development programs into state systems that can lead them into the 21st century.

Choices & resources for people who are blind or low vision



EnvisionSM

PLEASE REPLY TO: Michael Byington, Director
Envision Governmental Affairs Office
924 S. Kansas Ave
Topeka, Kansas 66612
(785) 354-4747 (Topeka Office)
(785) 575-7477 (pager)
(785) 354-4646 (FAX)
mbyingto@ink.org or
michael.byington@envisionus.com

January 27, 1999

TO: HOUSE BUSINESS, COMMERCE, AND LABOR

This is a requested bill. It would strengthen the enforcement provisions of the Kansas Use Law. The Kansas Use Law is a law which helps provide employment for persons who are severely disabled or blind by committing the State to purchasing products manufactured, or services offered, by not-for-profit corporations which employ large percentages of such persons. Products and services provided under the law must be competitively priced and of conforming quality.

The proposed Legislation would provide, after a written warning, penalties for non-compliance with the statutes. Currently, the purchase of manufactured goods is required of both State agencies and Unified School Districts under the law, but the purchase of services offered under this body of law is required only of State agencies; the proposed legislation would add Unified School Districts to the service purchasing provisions.

House Business, Commerce & Labor Committee
1/28/99
Attachment 2

801 East Lincoln • Wichita, KS 67211
Tel 316.267.2244 • Fax 316.267.4312
Web <http://www.envisionus.com>

(PROPOSED LANGUAGE WILL BE UNDERLINED. LANGUAGE PROPOSED TO STRIKE WILL BE IN STRIKEOUT MODE.)

(PROPOSED LEGISLATION)

K.S. Sec. 75-3317

KANSAS STATUTES

CHAPTER 75. STATE DEPARTMENTS; PUBLIC OFFICERS AND EMPLOYEES

ARTICLE 33. SOCIAL AND REHABILITATION SERVICES

75-3317. Purchase of products and services offered by Kansas industries for the blind division and rehabilitation services and by rehabilitation facilities; ~~definitions;~~ purpose

new (a) the purpose of this chapter is to further the policy of this state to create and enhance opportunities through which persons who are blind or severely disabled can achieve maximum personal independence through useful, productive gainful employment by assuring an expanded, continuous, and consistent market for the products such persons manufacture and the services they provide, thereby increasing the capacity for self-support and dignity of persons who are blind or severely disabled and minimizing their dependence on welfare, costly institutionalization, and tax supported entitlements.

(b) As used in K.S. 75-3317 through 75-3322, and amendments thereto, unless the context requires otherwise:

~~(a)(1) "Director of purchases" means the director of purchases of the department of administration;~~

new (2) "commission" means the Kansas Use Commission as authorized by K. S. 3318.

~~(b) "Kansas industries for the blind division and rehabilitation services" means workshops and home industry projects for blind or other handicapped persons which are located in Kansas and which are supported, operated or supervised by the division of services for the blind or rehabilitation services of the department of social and rehabilitation services;~~

~~(e)~~(3) "state agency" means any state office or officer, department, board, commission, institution, bureau or any agency, division or any unit within an office, department, board, commission or other state authority;

~~(d)~~(4) "rehabilitation facility" means any nonprofit corporation established in the State of Kansas, or agency operated by the State of Kansas, which has established as a primary or significant part of its mission the provision of training and employment services for persons who are blind or severely disabled, which employs such persons in significant numbers in the manufacturing or processing of goods and/or the offering of services, and which has been determined eligible for inclusion under K.S. 75-3317 through 75-3322, and amendments thereto, and has thus been duly registered as a covered provider by the Kansas Use Commission as specified in K.S. 75-3318. ~~community mental health center or community facility for the mentally retarded operating under K.S. 19-4001 et seq. and amendments thereto or nonprofit corporation contracting with a mental retardation governing board to provide services under K.S. 19-4001 et seq. and amendments thereto, which has registered with the secretary of social and rehabilitation services for the purposes of K.S. 75-3317 through 75-3322, and amendments thereto, and shall also mean the Kansas foundation for the blind, Wichita, Kansas, center industries, inc., Wichita, Kansas, and, upon registration hereunder, any workshop or other facility for blind or other handicapped persons which is located in Kansas and which is certified to the United States department of labor and licensed by the secretary of social and rehabilitation services as a sheltered workshop under K.S. 75-3307b and amendments thereto.~~ "rehabilitation facility" shall further also mean a central not for profit agency which may be recognized and designated by the Kansas use commission for the purpose of representing a consortium of rehabilitation facilities, as are otherwise defined in this section, in negotiations pursuant to the provision of products and services for use by state agencies as defined in this section.

History: L. 1953, ch. 392, Sec. 1; L. 1972, ch. 327, Sec. 1; L. 1979, ch. 288, Sec. 1; L. 1980, ch. 272, Sec. 2; L. 1982, ch. 358, Sec. 1; L. 1985, ch. 281, Sec. 1; L. 1988, ch. 301, Sec. 24; July 1.

~~75-3318, Repealed.~~
~~K.S. Sec. 75-3318~~

(new 75-3318) Kansas Same; Kansas Use Commission established, and Central Not-for-profit Agency authorized.

(a) There is hereby established the Kansas use commission, hereafter referred to as the commission, which shall consist of nine (9) members. The membership of the commission shall at all times include: the director of purchases or the director's designee, the secretary of social and rehabilitation services or the secretary's designee, the representative of one additional state agency which procures goods and/or services under the provisions of this act, representatives of four rehabilitation facilities as defined in K. S.75-3317 (d), but not including any employee of a central not for profit agency, and two members of boards of education of unified school districts. All members of the Commission, with the exception of those named in this act by specific title, shall be appointed by the governor. Such members shall serve for terms of four (4) years, except that of the members first appointed one (1) representative of a rehabilitation facility, and one (1) member of a board of education of a unified school district, shall have terms of two (2) years; one (1) representative of a rehabilitation facility, one (1) member of a board of education of a unified school district, and the representative of the additional state agency which procures goods and/or services under provisions of this act shall have terms of three (3) years; and two (2) representatives of rehabilitation facilities shall have terms of four (4) years. On July 1, of each year, the governor shall designate one of the gubernatorially appointed members to serve as Chairperson of the Commission.

(b) The Commission shall:

(1) establish and administer procedures for determining eligible rehabilitation facilities for participation under K.S.75-3317 through 75-3322, and amendments thereto, and for registering such facilities as covered providers under this act.

(2) Study fair market prices and pricing trends for goods and services to be purchased by state agencies and unified school districts under the provisions of this act, and negotiate and establish prices, by a simple majority of a simple quorum of Commission members present at any official meeting, for such goods manufactured or processed by, and services offered by, rehabilitation facilities participating under this act. Prices established must be based on competitive, fair market values and this act shall apply only to goods and services meeting conforming standards and specifications. In establishing prices for products manufactured, processed and for services offered for sale, under K.S. 75-3317 through 75-3322, however, the Commission shall

consider cost factors involved with accommodating severely disabled workers in manufacturing, processing and other work functions.

(3) establish and revise, as necessary, standards and requirements for products and services to be offered for purchase by and for State agencies and unified school districts.

(4) Publish, or cause to be published, the list of products manufactured, processed and offered for sale, and of services offered, under K.S. 75-3317 through 75-3322, and amendments thereto, and distribute this list to the department of administration, and to each person or officer authorized to purchase materials, services and supplies for any state agency or unified school district.

(5) initiate, or assist the secretary of social and rehabilitation services, the director of purchases, and the central not for profit agency, if present, in, the development of new products and services which can be added to the list.

(6) Make frequent contacts with each person or officer authorized to purchase materials, services and supplies for any state agency or unified school district to assist them in understanding their obligations under K.S. 75-3317 through K.S. 75-3322, and to receive information as to anticipated product and service needs which might be provided under this act.

(c) In the event that rehabilitation facilities as defined in K. S. 75-3317 elect to establish a central nonprofit agency for the purpose of representing a consortium of rehabilitation facilities, in negotiations pursuant to the provision of products and services for use by state agencies and unified school districts under this act, the Kansas use commission shall recognize the central nonprofit agency and negotiate with its duly authorized representative or representatives in the same manner as negotiations would take place with any other rehabilitation facility. The central not-for-profit agency may charge its rehabilitation facility members up to a four percent (4%) commission for its services. The central not-for-profit agency may be operated by an existing rehabilitation facility or may be a free standing nonprofit corporation. All goods and services placed on the list of products manufactured, processed and offered for sale, and of services offered, under K.S. 75-3317 through 75-3322, and amendments thereto, prior the establishment and recognition of a central nonprofit agency, shall continue to be regarded as an agreement established with the specific manufacturer, processor, and/or provider, and shall not in any manner transfer to the jurisdiction of a central nonprofit agency unless such transfer is specifically requested in writing by the manufacturer, processor, or provider and approved by the Kansas use commission.

(d) The Kansas use commission shall meet at such times as meetings are deemed necessary by its chairperson, or the director of purchases, or shall be called within one week of the receipt of written notice signed by any four commission members, and transmitted by certified mail to the director of purchases and the chairperson stating that a meeting is deemed necessary, but shall meet no less than twice each year.

(e) The commission shall appoint an executive director and may appoint such staff as is necessary to perform such duties as directed by the commission. The staff of the commission shall be in the unclassified service under the Kansas civil service act and shall receive compensation fixed by the Secretary of Administration with the approval of the governor. The staff shall receive reimbursement of all actual and necessary expenses incurred in the performance of its official duties, and shall be administratively located in the division of purchases.

(f) Members of the Kansas use commission attending meetings of such commission, or attending a subcommittee meeting thereof authorized by such commission, shall be paid amounts provided in subsection (e) of K.S.A. 75-3223 and amendments thereto.

(g) Operating funds for the commission shall be accrued through the assessing of an administrative fee attached to all sales which occur under the provisions of K. S. 75-3317 through 75-3322 and amendments thereto. The percentage of sales assigned to such operating expenses shall be set by the commission with the approval of the secretary of administration.

History: L. 1953, ch. 392, Sec. 2; L. 1972, ch. 327, Sec. 2; L. 1974, ch. 348, Sec. 92; L. 1975, ch. 416, Sec. 21; L. 1979, ch. 288, Sec. 2; Repealed, L. 1988, ch. 301, Sec. 33; July 1.

75-3319. Same; prices and standards of products and services; cooperation by rehabilitation facilities; products and services subject to 75-3317 to 75-3322.

~~(a) The director of purchases Kansas Use Commission shall determine fair market prices of products manufactured, processed, and offered for sale and of services offered under K.S. 75-3317 through 75-3322, and amendments thereto, by the Kansas industries for the blind division and rehabilitation services and by each rehabilitation facility. All of the products and services shall be standard conforming. Those products and services offered for purchase by or for a state agency shall meet specifications required by the director of purchases Kansas use commission. These products offered for purchase by or for a unified school district~~

~~shall meet specifications required by the board of education of the unified school district. the director of purchases~~ The Kansas use commission shall revise the prices determined under this section from time to time in accordance with changing market conditions. In determining and revising prices, the commission shall consult private, for profit manufacturers, processors, and providers of services; persons authorized to purchase products and services for state agencies and unified school districts; experts in the rehabilitation and employment of persons who are blind or who have severe disabilities; and experts in the field of assistive technology for the severely disabled.

(b) Each rehabilitation facility shall cooperate with and shall provide the director of purchases, the Kansas use commission, and the secretary of social and rehabilitation services with all information necessary for the administration of K.S. 75-3317 through 75-3322, and amendments thereto, or, if the rehabilitation facility has chosen to be represented by a central not-for-profit Agency, this information may be provided through this agency.

(c) The provisions of K.S. 75-3317 through 75-3322, and amendments thereto, shall apply only to products manufactured or processed in Kansas or services provided in Kansas by ~~blind or other handicapped persons~~ who are blind or severely disabled.

~~(d) The provisions of K.S. 75-3317 through 75-3322, and amendments thereto, shall not be construed to require a unified school district to purchase services offered by blind or other handicapped persons under this act.~~

History: L. 1953, ch. 392, Sec. 3; L. 1972, ch. 327, Sec. 3; L. 1979, ch. 288, Sec. 3; L. 1985, ch. 281, Sec. 2; L. 1988, ch. 301, Sec. 25; July 1.

75-3320. Same; list of products and services offered for sale under 75-3317 to 75-3322; publication fee for advertising authorized.

(a) ~~The secretary of social and rehabilitation services~~ The Kansas use commission, shall furnish to the department of administration, and to each person or officer authorized to purchase materials, services and supplies for any state agency or unified school district, a list of products manufactured, processed and offered for sale and of services offered under K.S. 75-3317 through 75-3322, and amendments thereto., by the Kansas industries for the blind division and rehabilitation services and by

rehabilitation facilities. The Kansas use commission shall insure that the list of products manufactured, processed and offered for sale and of services offered under K.S. 75-3317 through 75-3322, and amendments thereto, after July 1, 2000, does not contain identical products or products having identical functions, manufactured, processed or offered for sale, or identical services offered in the same geographical areas, by more than one rehabilitation facility. In instances where more than one rehabilitation facility proposes to place on the list: identical products or products having identical functions, or services in the same or overlapping geographical areas, the Kansas use commission shall determine which provider's proposal was received first, and that provider shall be the one placed on the list as offering the product or service. Nothing in this section, however, shall be construed as altering existing arrangements established prior to July 1, 1999. Joint listings of Cartridge King and Kansas Industries for the Blind, or any nonprofit which may be engaged in the privatization of Kansas Industries for the Blind, as providers of recycled laser cartridges shall continue so long as both of these agencies continue to manufacture or process these products, and state agencies and/or unified school districts have occasion to purchase them. Nothing in this act shall be construed as preventing a central not for profit agency from involving more than one rehabilitation facility, in the manufacture of identical products or products having identical functions, or in the provision of services in the same or overlapping areas, provided that all provisions for division of labor between rehabilitation facilities are handled by or through the central not for profit agency. Nothing in this section shall be construed as preventing one rehabilitation facility from establishing a sub contract or sub contracts with an additional rehabilitation facility or facilities in order to meet production demands of a given product.

(b) The list of products and services shall be certified by the director of purchases. ~~The secretary of social and rehabilitation services~~ Kansas use commission shall amend such list from time to time in accordance consultation with the recommendations of the director of purchases. Products and services, which have been placed on the list shall not be removed from it, or change in source of origination, without good cause. If the Kansas commission on use pricing proposes to change pricing or product specifications, the existing manufacturer shall have right of first refusal in choosing to make the required changes in order to retain existing contracts and existing designation on the list.

~~(c) The secretary of social and rehabilitation services may charge a reasonable publication fee to those rehabilitation facilities which advertise their products or services on such lists. The secretary of social and rehabilitation services shall remit all moneys received pursuant to this section to the state treasurer at least monthly. Upon receipt of such remittance, the state treasurer shall deposit the entire amount thereof in the state treasury and credit the same to the social welfare fund.~~

History: L. 1953, ch. 392, Sec. 4; L. 1972, ch. 327, Sec. 4; L. 1979, ch. 288, Sec. 4; L. 1985, ch. 281, Sec. 3; L. 1987, ch. 340, Sec. 1; L. 1988, ch. 301, Sec. 26; July 1.

75-3321. Same; purchase of products or services by state or school district.

(a) The director of purchases and any person or officer authorized to purchase materials, and supplies, and/or services for any state agency or unified school district or to purchase services for any state agency shall purchase, except as otherwise provided in this section, the products and services on the list certified by the director of purchases, under provisions of K. S. 75-3320, from the Kansas industries for the blind division and rehabilitation services or from a rehabilitation facility, when those products and/or services are to be procured by or for the state or a unified school district or when those services are to be procured by or for the state. Services offered for purchase are not required to be purchased by a unified school district.

(b) In the event that any member of the Kansas use commission should receive information to the effect, or suspect, that a state agency or unified school district is failing to purchase products manufactured, processed and offered for sale and/or services offered under K.S. 75-3317 through 75-3322, such member shall provide written notification of this information to the Kansas use commission whereupon, the Commission, through assistance of its staff, shall investigate the allegations and shall issue written findings after a period not to exceed ninety (90) days from the date of receipt of the initial written notification of the suspected violation of the law. If findings document that purchasing has taken place in violation of this act, the matter shall be referred to the director of purchases and the division of accounts and reports, and a written warning specifying the nature and details of the illegal purchases shall be sent by the director of purchases, through certified mail, to the state agency. Should a second violation of this act by the same state agency come to the

attention of the director of purchases and the division of accounts and reports, through ongoing investigation, or through the investigation of additional allegations proffered as set forth in this section, within a period of one year from the issuance of the written warning, an amount equal to one half of the sum of the purchases made outside of compliance with this act shall be charged against the account of the agency which committed the violation, and said monies shall be transmitted to the rehabilitation facility or facilities who manufacture, process, or provide the goods or services which were purchased in violation of this act. In the event that the violator of this act is a unified school district, funds in the amount described herein shall be deducted from any allocation of State funds transferred to the district from the State. This same formula shall apply continually to subsequent violations of this act, which are documented as set forth herein, and which take place within a period of one year or less from the issuance of a written warning or a previously assessed violation.

(c) Nothing in this act shall prevent a rehabilitation facility from seeking actual and punitive damages through private legal action against any state agency or unified school district which is found to have failed to purchase products manufactured, processed and offered for sale and/or services offered under K.S. 75-3317 through 75-3322.

(d) Nothing in this act shall be construed as preventing the director of purchases and any person or officer authorized to purchase materials, supplies or services for any state agency or unified school district from establishing sole source contractual arrangements with the provider of any product or service on the list, or through the central not-for-profit agency.

History: L. 1953, ch. 392, Sec. 5; L. 1972, ch. 327, Sec. 5; L. 1979, ch. 288, Sec. 5; L. 1985, ch. 281, Sec. 4; L. 1988, ch. 301, Sec. 27; July 1.

75-3322. Same; waiver of mandatory purchase requirements by secretary of social and rehabilitation services, when.

~~Whenever the Kansas industries for the blind division and rehabilitation services and rehabilitation facilities are unable to supply the products or services needed or are unable to meet delivery requirements on any order or requisition, a written waiver shall immediately be forwarded to the director of purchases or purchasing officer of the unified school district by the secretary of social and rehabilitation services or the secretary's designee and executive director of the Kansas use commission, and that~~

waiver shall relieve and exempt the state or unified school district purchasing authority from the mandatory provisions of K.S. 75-3317 to 75-3322, inclusive, and amendments thereto, in the case of the specific order, request or requisition.

History: L. 1953, ch. 392, Sec. 6; L. 1972, ch. 327, Sec. 6; L. 1979, ch. 288, Sec. 6; L. 1985, ch. 281, Sec. 5; July 1.



COMMISSION ON DISABILITY CONCERNS

1430 S.W. Topeka Boulevard, Topeka, Kansas 66612-1877

Voice: (785) 296-1722 • TTY: (785) 296-5044 • Fax: (785) 296-0466

Toll Free: (Outside Topeka) 1-800-295-5232

Americans with Disabilities Act (ADA) Update
House Business, Commerce and Labor Committee
January 14, 1999

Martha K. Gabehart, Executive Director
Kansas Commission on Disability Concerns (KCDC)

ADA has had a few Supreme Court decisions related to it during 1998.

Bragdon v Abbott: Bragdon is HIV positive and required dental work. She told Abbott about her condition and was told the dentist didn't have the facilities to safely provide the services. At issue was, is being HIV positive a disability under the ADA definition since Bragdon is prohibited from procreating because of her condition.

Supreme Court said "yes". Case was remanded to the lower court for determination of whether or not discrimination occurred.

Implications: Speculation is that this could affect employers' health insurance costs and benefits with regard to pregnancy, maternity and adoption benefits.

Pennsylvania Dept. of Corrections v Yeskey: Yeskey was a prisoner in a Penn. Prison. He wanted to participate in a "boot camp" program, which would allow him to complete, is incarceration in a shorter period of time than his sentence. He was denied access when the Dept. of Corrections learned that he had hypertension. Dept. of Corrections appealed to the Supreme Court saying the ADA doesn't apply to prisoners citing the law is vague on this point. The Supreme Court determined the ADA is clear in that all state programs, services and benefits are covered. The particular program was one, which was a benefit and was open only to qualified prisoners.

Our Mission: To provide quality employment services in an efficient manner which exceeds customer expectations.

House Business, Commerce & Labor Comm.

1/28/99

Attachment 3

The implications are that state depts. of corrections will have to provide accommodations to disabled prisoners as well as access to programs and facilities. In Kansas some correctional facilities do not have accessible buildings which prevent prisoners from accessing such things as cafeterias, health facilities, libraries/classrooms and recreational facilities. Some budget requests may stem from this requirement.

S 33 in Congress would eliminate this requirement in both the ADA and Section 504 of the Rehabilitation Act of 1973 (see attached). Rumor has it that this bill will not move, but the reality is, no one can tell what will suddenly have a spark of interest and move. This will definitely have opposition from all disability organizations.

Wright v. Universal Maritime Service Corp.: The Supreme Court ruled that the broad, generalized arbitration clause language in a collective bargaining agreement (CBA) cannot act to deprive a worker of his right to sue under the ADA. The opinion left open the question of whether a more specific arbitration clause language can relegate workers to the arbitral forum. This decision was anticipated to give more precise guidance as to when arbitration can be required. There are two prior lower court decisions which gave precedence to the both sides of the issue, that is, one ruled that a CBA required to arbitrate a statutory discrimination claim and the other that employee cannot be prevented from filing a statutory discrimination claim.

This decision may have a silver lining for employers in that it leaves open the possibility that a more specific CBA might eliminate a person's right to file a statutory discrimination claim.

Cases the Supreme Court is Scheduled to Hear (see attachment)

Judicial Estoppel

Cleveland v Policy Management Systems Corp. (5th Circuit)

Mitigating Measures

Sutton v United Air Lines (10th Circuit)

Murphy v United Parcel Service (10th Circuit)

Kirkingburg v Albertsons

Kansas Supreme Court

LINK v City of Hays This dealt with the Kansas Accessibility Standards (KSA 58-1301 et seq.) LINK, an independent living center (ILC), in Hays Kansas felt the city was responsible for enforcing the ADA accessibility requirements for existing private (buildings not built with city, state or federal money) buildings as well as public buildings. This case was divided into two separate “cases”. The City of Hays lost in both cases in district court. They appealed the case on enforcement for private buildings to the Supreme Court and won. The Supreme Court said (quoting the district), “[D]oes the city have the legal responsibility to enforce accessibility standards for privately owned and privately funded buildings built before the standards were required for new construction?” The answer is, “No.” We reverse the district court and vacate the writ of mandamus.”

Last session a bill was introduced to specifically do what the Supreme Court has now done. That probably won’t happen this year if it hasn’t already happened.

As for the possibility of a bill, which would require cities to enforce, the ADAAG, Kansas Commission on Disability Concerns (KCDC) has found information that the US Dept. of Justice has stated that neither state nor local officials have the authority to enforce the ADA. This was in a letter from John Wodatch, Chief of the Disability Rights Section of the US Dept. of Justice, to a person in Maryland in response to an inquiry concerning a Maryland Senate bill that made the state responsible for interpreting the ADA Accessibility Guidelines (ADAAG). KCDC did not realize this letter existed or would have sent information to LINK and others about the implications.

Possible bills in the Kansas Legislature

SB 22 prohibits genetic screening as an employment practice. Information from EEOC is that this type of bill is unnecessary because a person would be protected from this kind of discrimination by the “regarded” part of the ADA definition of disability. Hearing Friday, January 29 in Senate Commerce @ 8:00 AM.

Possibly before the Judiciary or Governmental Organization committees:

The Kansas Supreme Court Commission on Opening the Courts has a few accessibility issues they would like to bring before the legislature, but haven't found a vehicle to my knowledge. Those issues deal with courthouses and other public buildings.

- 1) a study of the feasibility of a regional courtroom system,
- 2) passage of a statute which would allow for a change of location not "venue" to provide for accessible courtrooms,
- 3) an amendment to the Kansas Accessibility Standards (K.S.A. 58-1301 et seq.) to provide for private remedies for violations of the law,
- 4) and expenditures by a municipality for accessibility requirements are outside the tax lid.

David Calvert is the chair of the commission - 316-269-9055

"Congress acknowledged that society's accumulated myths and fears about disability and disease are as handicapping as are the physical limitations that flow from [the] actual impairment."

- U.S. Supreme Court,
School Board of Nassau County v. Arline, 1987

October 5, 1998

Supreme Court agreed to hear

Cleveland v. Policy Management Systems Corp (5th circuit)

Carolyn Cleveland stated in her application for Social Security disability benefits, filed while on disability leave from her job, that she was "unable to work because of her disability condition" and that she was "still disabled". Her Social Security benefits were discontinued when she returned to work at PMSC, but she was fired and again applied for and received disability benefits.

Cleveland subsequently sued her employer under the ADA (claiming she was fired due to her disability), but PMSC argued that she was barred from claiming she was a qualified individual because of her representation on the disability application forms. District court agreed and 5th U.S. Circuit Court of Appeals affirmed, determining that the application for or the receipt of Social Security disability benefits creates a rebuttable presumption that the claimant or recipient of such benefits is judicially estopped from asserting that he is a 'qualified individual with a disability.'

Cleveland appealed and the Supreme Court agreed to review two questions:

- Whether the application for, or receipt of, disability insurance benefits under the Social Security Act creates a rebuttable presumption that the applicant or recipient is barred from asserting that she is a qualified individual under the ADA; and
- If no such presumption is created, what effect, if any, the application for or receipt of benefits should have on an individual's assertion that she is a qualified individual with a disability.

No plaintiff has ever prevailed when the rebuttable presumption has been applied, according to assistant legal counsel for EEOC in their ADA Policy Division.

January 8, 1999

Supreme Court agreed to decide whether Title I of the ADA applies to workers whose conditions may be corrected by medicine or other measures (mitigating measures).

At issue is whether the determination that a person has a disability under the law must be made without regard to mitigating measures, such as medicines or glasses that can correct the problem.

Will hear arguments in these 3 cases in April, decision by end of June.

Sutton v. United Air Lines (10th Circuit)

Twin sisters Karen Sutton and Kimberly Hinton argued that their extreme nearsightedness should be considered a disability

Both regional airline pilots applied for jobs with United in 1992. Each sister uncorrected vision of 20-200 right eye and 20-400 left eye.

Both sisters have 20-20 vision when wearing corrective lenses, but United requires all pilots to have uncorrected vision of 20-100. Sisters sued after not hired.

Federal judge and U.S. Appeals Court ruled that the two women were not protected by the law because poor vision was fully correctable when they use glasses or contact lenses.

Appeals court said their poor eyesight was a disability, but was correctable, and was not covered by the law.

Murphy v. United Parcel Service (10th Circuit)

Vaughn Murphy suffered from high blood pressure; hired by United Parcel Service in 1994 as a mechanic. Job required him to drive commercial motor vehicles on road tests and road calls.

USDOT has required that drivers of commercial vehicles must maintain blood pressure no higher than 160/90.

Murphy's physician said he was unable to use medicine to lower his blood pressure below the required level without suffering severe side effects.

Murphy sued after he was fired. Federal appeals court ruled that the high blood pressure was not a disability. Court cited testimony of Murphy's doctor who said his patient "functions normally" when taking his medication.

Kirkingburg v. Albertsons

Hallie Kirkingburg was a truck driver for Albertsons in Portland, Oregon.

Unable to meet Transportation Department requirement of 20-40 vision in each eye, with correctable lens. Even with lens, his vision was 20-200 in right eye.

Fired and sued under the ADA. Federal appeals court ruled he was disabled. It rejected company's argument that it tried to accommodate his disability by offering him another job, which he rejected.

EEOC Charge Statistics

	FY 92	FY 93	FY 94	FY 95	FY 96	FY 97	FY 98	Totals	
Total Charges	72,302	87,942	91,189	87,529	77,990	80,680	79,591	577,223	
Race	29,548 40.9%	31,695 36.0%	31,655 34.7%	29,986 34.3%	26,287 33.7%	29,199 36.2%	28,820 36.2%	207,190 35.9%	①
Sex	21,796 30.1%	23,919 27.2%	25,860 28.4%	26,181 29.9%	23,813 30.5%	24,728 30.6%	24,454 30.7%	170,751 29.6%	②
National Origin	7,434 10.3%	7,454 8.5%	7,414 8.1%	7,035 8.0%	6,687 8.6%	6,712 8.3%	6,778 8.5%	49,514 8.6%	
Religion	1,338 1.9%	1,449 1.6%	1,546 1.7%	1,581 1.8%	1,564 2.0%	1,709 2.1%	1,786 2.2%	10,973 1.9%	
Retaliation -- all	11,096 15.3%	13,814 15.7%	15,853 17.4%	17,070 19.5%	16,080 20.6%	18,198 22.6%	19,114 24.0%	111,225 19.3%	④
Title VII	10,499	12,644	14,415	15,342	14,412	16,394	17,246	100,952	
all others	597	1,170	1,438	1,728	1,668	1,804	1,868	10,273	
Age	19,573 27.1%	19,809 22.5%	19,618 21.5%	17,416 19.9%	15,719 20.2%	15,785 19.6%	15,191 19.1%	123,111 21.3%	③
Disability	1,048 1.4%	15,274 17.4%	18,859 20.7%	19,798 22.6%	18,046 23.1%	18,108 22.4%	17,806 22.4%	108,939 18.9%	⑤
Equal Pay Act	1,294 1.8%	1,328 1.5%	1,381 1.5%	1,275 1.5%	969 1.2%	1,134 1.4%	1,071 1.3%	8,452 1.5%	

KCDC Legislative Update

Sharon Huffman, Editor

Kansas Bill Status Hotline 1-800-432-3924

January 22, 1999

Highlights of Governor's State of the State Address

Last Tuesday night, January 12th, Governor Graves presented his annual State of the State Address. Here are some of the highlights of that address:

- Increase in spending from State General Fund of 2.6%
- End property taxes on cars and trucks
- \$12 million for Kansas HealthWave Program providing health insurance to children
- \$260,000 to modernize test methods for Newborn Screening program through Kansas Department of Health and Environment
- \$1 million enhancement to expand community based mental health services for children
- \$87 million increase for K-12 education to help meet increased cost for special education
- \$1 million increase for pre-school education for 4-year-olds
- \$1 million increase for Healthy Start Program
- \$250,000 enhancement to the Infants and Toddlers Program providing early intervention for infants and toddlers with developmental delays

The State of the State Address can be viewed and listened to in its entirety on CJ-Online website located at <http://www.cjonline.com/cybersession/>. You may also read a copy of the address on the Governor's website located at <http://www.ink.org/public/governor/state/stotst99.html>. If you would like to comment on any of the Governor's recommendations, or would just like to express your ideas on any issue to the Governor, you can call his Office of Constituent Services toll-free at 1-800-748-4408 (V/TTY).

Highlights of President's State of the Union Address

President Clinton presented his State of the Union Address on Tuesday, January 19th. Here are just a few of the highlights from that address:

- Address the challenge of a senior boom by using the budget surplus to help save Social Security, strengthen Medicare, and enable Americans to increase their retirement savings, and by supporting families that provide long term care for their loved ones.
- Strengthen our families and communities by raising the minimum wage, expanding child care tax credits, expanding the Family and Medical Leave Act, and helping families meet their responsibilities at home and at work.
- Expand access to quality health care by strengthening and preserving Medicare, supporting families with long term care needs, and passing a strong, enforceable Patients Bill of Rights.

The State of the Union Address can be viewed and listened to on the White House website at <http://www.whitehouse.gov/WH/SOTU99/>. If you have comments about the address, Jonathan Young, Associate Director for Disability Outreach, White House Office of Public Liaison, would like to hear from you. His email address is Jonathan_M._Young@who.eop.gov.

Legislative Deadlines

Deadlines for introduction and consideration of bills are as follows:

February 10 Bill introduction by individual legislators

February 12 Bill introduction by committees

February 27 Consideration by House of Origin

March 27 Consideration by Second House

3-10

Exceptions to these deadlines are granted to bills introduced or considered by Ways and Means, Federal and State Affairs, Calendar and Printing, Appropriations, Taxation and other select authorized committees.

WORK INCENTIVES IMPROVEMENT ACT UPDATE

"President Clinton unveiled a new initiative that will remove significant barriers to work for people with disabilities. This three-part budget initiative, which invests \$2 billion over five years, will help provide better health care options for people with disabilities who work, a \$1,000 tax credit for work-related expenses, and invest in technology that can enhance their ability to participate in the workplace.

...The Work Incentives Improvement Act is a historic bill produced through the bipartisan efforts of Senators Jeffords, Kennedy, Roth and Moynihan in collaboration with leaders in the disability community and staff throughout the Administration. It is the centerpiece of the President's initiative to provide economic opportunities to people with disabilities."

-- *BACKGROUND Paper, the White House, 1/13/99*

HIGHLIGHTS

The significance of this initiative is that it funds the Work Incentives Improvement Act, thereby removing a major barrier to passage for this important legislation.

The President's budget proposal will include a three-part initiative to bring greater opportunity to Americans with disabilities:

1. Funds the Work Incentives Improvement Act. Health care, particularly prescription drugs and personal assistance is essential for people with disabilities who work. The President's budget funds the Work Incentive Improvement Act, which would:
 - Improve access to health care by expanding states' ability to provide a Medicaid buy-in to people with disabilities who return to work;
 - Extend Medicare coverage for people with disabilities who return to work;
 - Create a new Medicaid buy-in demonstration to help people with a specific physical or mental impairment that is not severe enough to qualify for health assistance, but is likely to lead to a severe disability in the absence of medical treatment;
 - Modernize the employment services system by creating a "ticket" that will enable SSI or SSDI beneficiaries to use a range of public or private providers for vocational rehabilitation. If the person goes back to work and achieves substantial earnings, providers would be paid a portion of the benefits saved;
 - Create a Work Incentive Grant program to provide benefits planning and assistance, facilitate access to information about work incentives, and better integrate services to people with disabilities working or returning to work.
2. Provides a \$1,000 tax credit for work-related expenses for people with disabilities. Under the President's proposal, workers with significant disabilities would receive an annual \$1,000 tax credit to help cover the costs associated with employment, including, special transportation and technology;
3. Improves access to assistive technology. This new initiative will accelerate the development and adoption of information and communications technologies that can improve the quality of life for people with disabilities and enhance their ability to participate in the workplace.

Information provided through the Work Incentives Listserve by:

Bryon R. MacDonald, Benefits Counselor/Community Advocate, The Center for Independent Living - Berkeley/Oakland 436 Fourteenth Street, Suite 218 Oakland, CA 94612 Voice: 510-763-9999, press ext. 19 TDD: 510-444-1837 FAX: 510-763-4910 bryosemite@aol.com

Kansas Commission on Disability Concerns Bill Tracking

Bill #	Committee	Status/Action	Summary
SB 3	FI & I	Hearing 1/27 9 a.m., Rm 529-S	Providing coverage for general anesthesia and medical care facility charges for certain dental care.
SB 8	Education		Special education services for exceptional children attending private schools.
SB 14	FI & I	Hearing 1/27 9 a.m., Rm 529-S	Health insurance coverage for reconstructive breast surgery
SB 20	PH & W		Health care information disclosure limitations
SB 21	T&T		Disclosure of records of the division of vehicles
SB 22	Commerce	Hearing 1/29 8 a.m., Rm 123-S	Unlawful employment practices, genetic testing
SB 31	Education	Hearing 1/25 9 a.m., Rm 123-S	Special education services for developmentally disabled children.
SB 75	FI & I		Insurance; Medicaid eligible persons to receive coverage.
SCR1606	PH & W	Hearing 1/26 10 a.m., Rm 526-S	Requests Governor to identify funds available for training and retraining of long-term staff (primarily for certified nurse aids)
HB 2005	Insurance	Hearing 1/21 3:30 pm, Rm 527-S	Mandated health coverage, state health plan.
HB 2035	Transpo		Persons with disabilities, accessible parking.
HB 2032	H & HS		Establishing uniform fee structure for mental health providers under the behavioral sciences regulatory board.
HB 2033	H & HS		Temporary licensure of mental health service providers.
HB 2047	Insurance		State Health Care Commission; providing optional separate coverage for public school districts.

Key to abbreviations used in KCDC Bill Tracking chart

Approp = Appropriations **H & HS** = Health and Human Services **FI & I** = Senate Financial Institutions and Insurance **PH & W** = Senate Public Health and Welfare **T & T** = Senate Transportation and Tourism

Transpo = House Transportation

H = House **S** = Senate **HB** = House Bill **SB** = Senate Bill **SCR** = Senate Concurrent Resolution

CC = Conference Committee **Subcom** = Subcommittee

THIS SEARCH	THIS DOCUMENT	GO TO
Next Hit	Forward	<u>New Bills Search</u>
Prev Hit	Back	<u>HomePage</u>
Hit List	Best Sections	<u>Help</u>
	Doc Contents	

GPO's PDF version of this bill	References to this bill in the Congressional Record	Link to the Bill Summary & Status file.	Full Display - 2,276 bytes. [Help]
--	---	---	--

To amend title II of the Americans with Disabilities Act of 1990 and section 504 of the Rehabilitation Act of 1973 to exclude prisoners from the requirements of that title and section. (Introduced in the Senate)

S 33 IS

106th CONGRESS

1st Session

S. 33

To amend title II of the Americans with Disabilities Act of 1990 and section 504 of the Rehabilitation Act of 1973 to exclude prisoners from the requirements of that title and section.

IN THE SENATE OF THE UNITED STATES

January 19, 1999

Mr. THURMOND (for himself and Mr. HELMS) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To amend title II of the Americans with Disabilities Act of 1990 and section 504 of the Rehabilitation Act of 1973 to exclude prisoners from the requirements of that title and section.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. EXCLUSION OF PRISONERS.

(a) AMERICANS WITH DISABILITIES ACT OF 1990- Section 201(2) of the Americans with Disabilities Act of 1990 (42 U.S.C. 12131(2)) is amended by adding at the end the following: `The term shall not include a prisoner in a prison, as such terms are defined in section 3626(g) of title 18, United States Code, with respect to services, programs, activities, and **3-13**

treatment (including accommodations) relating to the prison.'

(b) REHABILITATION ACT OF 1973- Paragraph (20) of section 7 of the Rehabilitation Act of 1973 (as redesignated in section 402(a)(1) of the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 1999) is amended--

(1) by redesignating subparagraph (G) as subparagraph (H); and

(2) by inserting after subparagraph (F) the following:

(G) PRISON PROGRAMS AND ACTIVITIES; EXCLUSION OF PRISONERS-
For purposes of section 504, the term 'individual with a disability' shall not include a prisoner in a prison, as such terms are defined in section 3626(g) of title 18, United States Code, with respect to programs and activities (including accommodations) relating to the prison.'

<i>THIS SEARCH</i>	<i>THIS DOCUMENT</i>	<i>GO TO</i>
Next Hit	Forward	<u>New Bills Search</u>
Prev Hit	Back	<u>HomePage</u>
Hit List	Best Sections	<u>Help</u>
	Doc Contents	

3-14

The Commission promotes the integration of people with disabilities into society by providing the following services:

- **Training** on the legislative process, disability civil rights, legal requirements, disability awareness, accessibility and legal remedies.
- **Technical Assistance** with accessibility reviews, fundamentals of organizing disability groups, legislative commentary, policy consultation and research and analysis of disability issues.
- **Information and Referral** on complaint processing, employment incentives, available products for people with disabilities, supervision of disabled workers, legislative testimony, service delivery and disability organizations.

The Commission provides these services to employers, disability organizations, state and federal agencies, the governor's office, U.S. congressional representatives and senators, the state legislature, civic organizations, professional groups and people with disabilities.

KCDC believes that all people with disabilities are entitled to be equal citizens and equal partners in Kansas society. The purpose of KCDC is to involve all segments of the Kansas Community through legislative advocacy, education and resource networking to ensure full and equal citizenship for all Kansans with disabilities.



For more information about the Commission, please contact us at:

Kansas Commission on Disability Concerns
Kansas Department of Human Resources
1430 SW Topeka Boulevard
Topeka, Kansas 66612-1877

Toll Free (Outside Topeka)
1-800-295-5232

Voice 785-296-1722

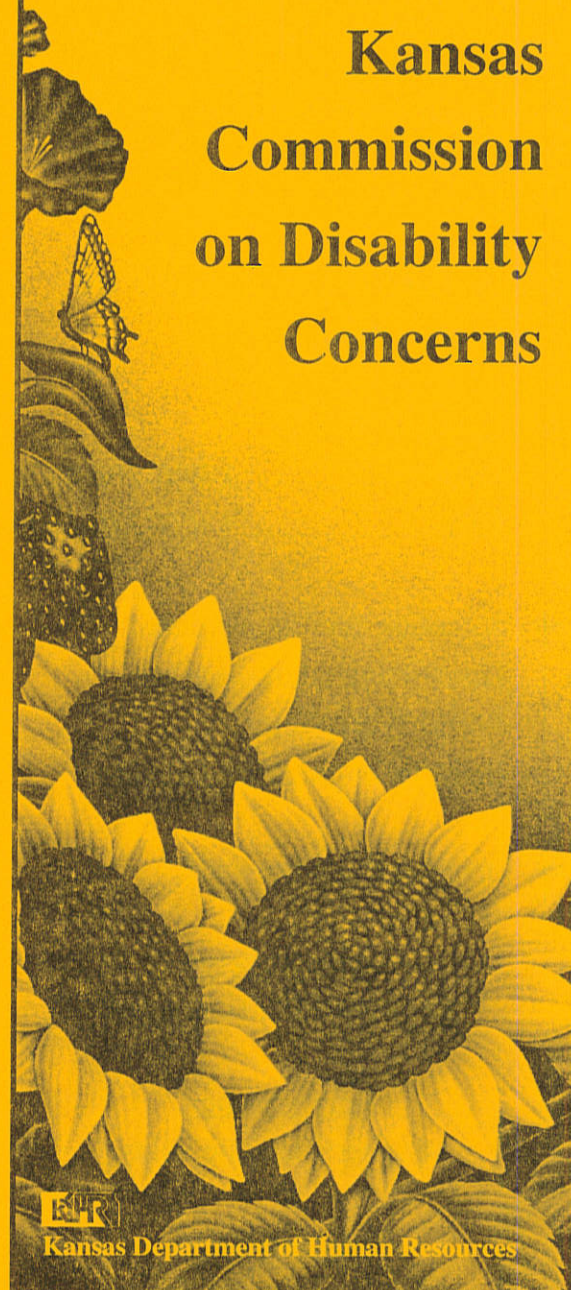
TTY (Toll Free) 1-877-340-5874

TTY (Local) 785-296-5044

Fax 785-296-0466

K-CDC 106 (Rev. 9-98)

The Kansas Commission on Disability Concerns



KCDC provides presentations, seminars and workshops on the employment, public accommodation and public service requirements of the Americans with Disabilities Act (ADA). Target groups include employers, businesses, local and state governments, disability organizations, people with disabilities and the general public.

ADA Information can be obtained by:

➔ calling toll-free:

Voice 1-800-295-5232

TTY 1-877-340-5874

➔ computer access using our Home Page address on the World Wide Web:

<http://www.hr.state.ks.us/dc/>

➔ sending E-mail to staff:

Martha Gabehart

mkgabeha@hr.state.ks.us

Randy Fisher

refisher@hr.state.ks.us

Sharon Huffman

sdhuffma@hr.state.ks.us

The Goals of the Commission are:

- ✓ Carry on a continuing program of public education to promote equal citizenship for all Kansans with disabilities;
- ✓ Inform individuals with disabilities of specific options for increasing their independence;
- ✓ Support the advocacy efforts of public and private organizations promoting independent living, rehabilitation, employment and quality of life for people with disabilities;
- ✓ Report annually to the Governor and Legislature on the concerns of people with disabilities, including recommendations for action.

Information available on the home page:

- Federal Jobs Listing Information, Rehabilitation Act, Social Security and related U.S. Codes.

Materials are currently available at no charge.

Information available from KCDC:

- A library of resource information on civil rights laws and court cases, fund raising, grant writing, assistive technology, independent living history, etiquette, architectural accessibility and accessible meetings;
- Publications from the National Council on Disability, President's Committee on Employment of People with Disabilities, Job Accommodation Network, U.S. Department of Justice and the Bazelon Center for Mental Health Law.

3-16

3-16