

# Vocational Rehabilitation Services for the Blind in Nebraska: A History

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January 2018

Nebraska Commission for the Blind and Visually Impaired (NCBVI) is the state of Nebraska vocational rehabilitation agency for the blind and visually impaired. It is one of only nine independent state commissions for the blind in the country. The story of NCBVI is the story of blind Nebraskans and the power of collective action.

## **EARLY HISTORY**

In 1917, the earliest state legislation on behalf of adult blind Nebraskans was enacted. This legislation assigned responsibility for the welfare of the adult blind to the Board of Commissioners of State Institutions (renamed the Board of Control in 1920). The Board, in turn, awarded a two-year grant in the amount of \$5,000 to the Nebraska School for the Blind for the purpose of developing job opportunities and small home manufacturing operations for the blind. A full-time person was hired to run the program, but when he died before the end of the grant, unused funds reverted to the Nebraska Association of Workers for the Blind (NAWB), the original sponsors of the bill. Further efforts on behalf of blind Nebraskans were to languish for the next twenty years.

Around this same time, World War I was coming to an end. More than ever before, advancements in modern medicine made it possible for soldiers wounded in battle to survive and return home with significant disabilities. Many veterans, unable to go back to the kind of work they did before the war, faced the prospect of life on a government pension and inactivity.

The Soldiers Rehabilitation Act of 1918 changed that. Disabled veterans could not only receive financial assistance for living expenses, they were also provided services enabling them to return to work. For the first time,

basic services including vocational guidance, training, occupational adjustment services, and job placement services were offered to disabled veterans. The idea proved to be very popular, and several states quickly adopted similar programs for civilians with disabilities.

In 1920, the Civilian Rehabilitation Act was signed into law expanding vocational rehabilitation (VR) services to citizens with certain disabilities not affiliated with the government and who were not covered by workers compensation laws. The federal government reimbursed state programs 50% of the direct costs of VR services provided to individuals with physical disabilities. It was not a permanent program and needed to be re-authorized by congress periodically. This was the beginning of the public VR program, but it was limited in scope.

While not specifically excluded from services, blindness was thought to be too great a handicap to be overcome in the workplace. Only on very rare occasions were exceptional blind people found eligible for VR services. All too often, blind people were told to return home where they were expected to live off the charity of families, church groups, or philanthropic organizations.

For many people in the public and private sectors, this was not acceptable. Slowly, a grass roots movement for change began and gained momentum.

### **Blind Advocates Organize for Reform**

In 1937, the Douglas chapter of the American Red Cross, the Department of Vocational Rehabilitation, and the Omaha Association of the Blind (OAB) joined forces to draft legislation to transfer responsibility for the state program for the blind from the Board of Control to the Department of Vocational Rehabilitation. Whether or not the bill passed is not clear, but if it passed, it was apparently vetoed by Governor Roy Cochran.

In 1939, NAWB and OAB were unsuccessful in their support of legislation to establish a separate commission for the blind. They tried again in 1941, but this ran into difficulty when Governor Dwight Griswold, initially receptive to the idea, made it clear that he would honor his campaign pledge to not create any new state agencies or commissions.

Considerable pressure was brought to bear to assign duties that would have been given to a new commission for the blind to the Department of

Vocational Rehabilitation, but NAWB and OAB strenuously opposed this move in the firm belief that the Department of Vocational Rehabilitation was not sufficiently flexible in its policies and practices to provide the types of services needed by the blind. There was good reason to believe this. The only services blind people were known to have receive from the Department of Vocational Rehabilitation was support for tuition for the occasional outstanding graduate of the Nebraska School for the Blind.

Advocates for a separate commission for the blind wanted a program that offered meaningful services for a much broader base of consumers. They argued that the variety of services needed far exceeded what the Department of Vocational Rehabilitation was then able to provide.

Considering a program for the blind administered by the Department of Vocational Rehabilitation as unacceptable, the bill was revised to establish a program for the blind under the Department of Public Instruction (later renamed the Department of Education). When this met with resistance, the bill was rewritten again, reverting to the original 1917 legislation placing the program under the Board of Control with an appropriation of \$5,000. The bill enjoyed support from the great majority of the Unicameral, but, late in the legislative session before blind advocates had time to mount opposition, a bill was pass increasing the appropriation for a program for the blind to \$10,000 under the supervision of the Department of Vocational Rehabilitation with the idea that the funds would be used to provide the additional services recommended by advocates for the blind.

Unfortunately, the Unicameral failed to earmark the funds to be used to establish a program of special services for the blind. The Department for Vocational Rehabilitation was free to spend the money however it saw fit. Over the next two years, so far as can be determined, less than \$3,500 of the \$10,000 appropriated had been spent as intended, and only eleven blind individuals actually received services.

As blind advocates struggled in Nebraska, similar efforts on behalf of the blind were gaining momentum across the country. Organizations for and of the blind such as the American Association of Workers for the Blind (AAWB), the American Foundation for The Blind (AFB), alumni associations of schools for the blind, and other state and local organizations of the blind joined forces to bring about reform and social

change, but the voice of the blind was often obscured by organizations led by sighted professionals who purported to know what blind people needed.

The Social Security Act of 1935 made the federal-state VR program permanent. It also provided the first federal aid for the blind. Prior to this, blind individuals in need of assistance with living expenses relied on state or local government for help. The blind suddenly had more aid available to them than ever before, but the Act did not promote vocational rehabilitation. If anything, various restrictions on aid contained in the Act increased the blind's dependency on public assistance. The 1939 amendment to the Act only made the situation worse.

Nationalizing of public welfare set the stage for the blind to unite in a common cause and set their own course. In mid-November 1940, 16 blind people from seven states came together in Wilkes-Barre, Pennsylvania to create the National Federation of the Blind (NFB). It was the first national organization of and for the blind. Reform of the Social Security Act was the leading topic for discussion at the 1940 convention.

The purpose of the NFB, as proclaimed in its Constitution, was "...to promote economic and social welfare of the blind." Founded on the premise that blind people can manage their own affairs and participate in everyday life on equal terms with the sighted, one of the NFB's more important early objectives was full and equal opportunity for employment in the mainstream of the American labor market. The call was made for greater opportunities and access to jobs. To that end, the national vocational rehabilitation system was found to be especially lacking and ineffective.

The NFB objected to the stereotypical idea that blind people were capable of only working within a narrow range of occupations (i.e., piano-tuning, education of blind children), "blind trades" (i.e., chair caning, rug weaving, broom-making) found in sheltered workshops for the blind, or protected work sites on federal property established under the Randolph-Sheppard Act. The organized blind insisted on access to rehabilitation training and services promoting meaningful, gainful employment based on individual ability and interests rather than preconceived notions about what blind people can do.

Collective action on the part of the organized blind and other professional organizations and disability advocates ultimately resulted in enactment of the Barden-LaFollette Vocational Rehabilitation Act of 1943, expanding the scope of VR services to include people with disabilities formerly thought of as unable to work (i.e., people with mental illness, mental retardation, blindness). The Act also expanded the range of available VR services to include physical restoration such as cataract surgery to remove or reduce the limitations imposed by disability and purchase of equipment such as hearing aids or wheelchairs. The 1943 amendments also set up a mechanism for states to establish separate agencies for the blind, if they chose to do so.

### **NEBRASKA DEPARTMENT OF SERVICES FOR THE BLIND**

In 1943, advocates for a state program for the blind separate from the Department of Vocational Rehabilitation were ready to try again. Many of the Senators who were around in 1941 were clearly not happy with the Department of Vocational Rehabilitation's failure to use the additional \$10,000 it had been appropriated on behalf of the blind as intended. Passage of the Barden-LaFollette Act of 1943 during that same legislative session offered further incentives for the Unicameral to establish a separate program for the blind. Ultimately, a bill was passed authorizing a separate rehabilitation agency for the blind without opposition in 1943.

The Nebraska Department of Services for the Blind was created by action of the Board of Control, and opened for business on July 1, 1944 with Harold Salter as its first Director. An appropriation of \$15,000 was provided with a match of additional funds from the federal government. Services for the Blind began with six staff members and served approximately 15 clients during its first year of operation. The first priority for the new agency was to compile a directory of blind Nebraskans.

World War II opened opportunities for employment formerly closed to blind people. The drain of young people into the military created a labor shortage and urgent call for workers in war-time industries, rendering job placement efforts on behalf of blind clients reasonably successful. Services for the Blind also began modest programs for teaching independent living (IL) skills.

VR enjoyed immense popularity during the next two decades. Its mission was easy to understand - provide services to people with disabilities so they can return to work. Success could be clearly measured financially. Workers with disabilities paid taxes, and VR programs consistently made money for the government.

The Vocational Rehabilitation Act of 1954 significantly increased funding for the public rehabilitation system to match its growing popularity. Institutions of higher education received federal grants to train rehabilitation professionals. VR agencies expanded services available to individuals with disabilities, particularly those with mental illness and mental retardation. Newly established research and training centers conducted the first comprehensive government-sponsored studies of disabilities and rehabilitation.

Significant in the history of the blind was the establishment of an adult orientation and training center for the blind in Des Moines, Iowa in 1958. Kenneth Jernigan, Director of the Iowa Department for the Blind, created the first state vocational rehabilitation program for the blind based on a solid belief in blind people and their ability to work and live alongside their sighted peers as equals. The Iowa program served as the gold standard for rehabilitation services for the blind throughout the 1960s and '70s in this country and abroad.

As the field of vocational rehabilitation grew in popularity, the organized blind continued to grow in strength and influence, not without considerable resistance from rehabilitation professionals. Organizations, formerly unchallenged in their presumption to speak for the blind, resented charges of low expectations and lack of understanding regarding blindness. Retaliation was taken against blind applicants for services and vending facility operators known to belong to the NFB. What was perceived as interference by rehabilitation professionals was sharply criticized.

## **NEBRASKA REHABILITATION SERVICES FOR THE VISUALLY IMPAIRED: A TIME FOR GROWTH AND EXPANSION**

In 1961, the Department of Services for the Blind became the "Nebraska Rehabilitation Services for the Visually Impaired" (RSVI or - as it was more commonly known - SVI). On January 1, 1962, the Board of Control was discontinued, and SVI became a division within the Department of Public

Institutions (DPI). Up to this time, the Department of Services for the Blind had been a relatively small state agency serving a modest caseload of blind or very nearly blind adults. The criteria for determining who was eligible for SVI services was heavily influenced by the definition of blindness contained in the original 1917 legislation as follows:

“The term ‘blind’ also includes all persons whose sight is so defective as to seriously limit their ability to engage in the ordinary vocations and activities of life.”

While this functional definition of blindness continues to govern eligibility for services today, the inclusion of the word “also” in the 1917 legislation implied that blind meant total or near total absence of vision and others with some functional vision were not blind. This was not a problem so long as the agency concentrated on serving people with the most severe visual impairments, but it became an issue when policy makers and administrators questioned the scope of eligibility criteria with the intent of expanding services to people with partial vision, including those with monocular vision or medically correctable conditions.

In 1962, the Nebraska Attorney General was asked to render his interpretation as to what “...so defective as to seriously limit...” actually meant. It was his opinion that people with a much broader range of visual impairments than had been previously accepted for services were, in fact, eligible.

The way was now clear for a rapid expansion of services. Under the directorships of Marion Clark (1964-1969) and Dean McDermott (1969-1974), the staff of SVI grew sharply. By 1970, 62 staff members worked for SVI. More clients were being served, but the focus of rehabilitation tended to concentrate on those with higher visual acuity while the quality of services for those with more significant visual limitations declined.

In 1971, the headquarters and part-time training center for the blind moved from the Capitol Building in Lincoln to 1047 South Street. SVI was able to establish a limited residential component of independent living skills training with one and two week sessions concentrating on cooking, travel, braille, clerical skills, and crafts. Participants in Center training lived at the Lincoln Regional Center and were transported daily to the South Street location. Skills training at that time was criticized as being more geared to

teaching crafts than true independence. It lacked a cohesive philosophy of blindness and belief in the capabilities of blind people. Graduates of the program found themselves ill-prepared to enter the workplace or become truly independent.

SVI acquired a van with additional funding from the federal government and established “mobile rehab units” to provide one week skill training sessions to blind and visually impaired persons living near various locations around the state. The then current push for “community-based services” may have been behind these short-term training projects, but advocates for the blind argued that they were not enough. They were also highly unpopular with staff members who had to spend large amounts of time on the road.

### **The Power of Collective Action - A Time for Advocacy and Reform**

The federal-state VR program also grew in significant ways in the 1960s. So successful was VR in finding jobs for people with disabilities that President Johnson wanted to put it in the front line of his War on Poverty. The 1965 amendment to the Vocational Rehabilitation Act expanded the definition of “disability” to include persons with socially handicapping conditions such as drug abuse and alcoholism, lack of education, and repeated jail sentences and many other conditions that weren’t medical at all. In short, almost anybody who couldn’t get a job could get help from VR.

VR programs were quickly overwhelmed as the number of applicants swelled to unprecedented levels. The rehabilitation process was streamlined in response to the tremendous increase in the demand for services. Applicants were processed and evaluated quickly and training choices became more limited.

The federal-state VR program came to resemble an assembly line designed to return people to work quickly with little regard for flexibility or individualization. Many more people were being helped, but the ones with unique circumstances in need of special attention and services (i.e., the ones with the most significant disabilities) were neglected or found ineligible for services.

The civil rights movement of the 1960s and the inequities of the federal-state VR program gave impetus to the emerging disability rights movement. The organized blind had been speaking out for themselves since the

1940s, but people with other disabilities were only just then finding their voice as a political force. Now, disability advocates, including the NFB, joined forces to call for reform in protest of the marked decline in the quality of VR services.

Congress responded with the Rehabilitation Act of 1973, one of the most significant pieces of legislation in the history of rehabilitation services for people with disabilities, completely replacing the old Vocational Rehabilitation Act. This legislation emphasized the importance of client involvement in the planning and implementation of VR services. The VR counselor and client were expected to work together in the development of an Individualized Written Rehabilitation Program (IWRP) describing specific services designed to achieve personal vocational goals. Greater emphasis was also placed on serving people with significant physical or mental disabilities.

Title V of the Rehabilitation Act of 1973 signaled the first significant legislation into civil rights protection on behalf of people with disabilities. Some of the more important provisions in Title V included:

Section 501 prohibited discrimination in the employment of “otherwise handicapped individuals” by the federal government and that “reasonable accommodations” had to be provided for physical or mental limitations.

Section 502 created the Architectural and Transportation Barriers Compliance Board to enforce standards for the removal of barriers set under the Architectural Barriers Act of 1968.

Section 503 extended the prohibition against discrimination in the employment of people with disabilities to federal contractors.

Section 504 prohibited discrimination against people with disabilities by “recipients of federal funds” and required reasonable accommodations be provided as needed. This provision had the most far-reaching significance for the advancement of civil rights on behalf of people with disabilities. “No otherwise qualified individual with a disability in the U.S. shall solely by her or his disability be excluded from participation in, be denied the benefits of, or be subject to discrimination under any program or activity receiving federal financial assistance.”

The Rehabilitation Act of 1973 also established the Rehabilitation Services Administration (RSA) under the U.S. Department of Health, Education, and Welfare (moved to the U.S. Department of Education in 1974) to administer the federal-state VR program.

## **BUILDING A WORLD-CLASS REHABILITATION SERVICE DELIVERY SYSTEM FOR THE BLIND: A TIME FOR TRANSFORMATION AND CHANGE**

In Nebraska, consumer dissatisfaction with SVI continued to build. Richard Parker, President of the NFB-Nebraska Affiliate, in particular, pressured state government to do something about the deplorable quality of VR services for blind Nebraskans. A committee including the Director of DPI, Governor James Exon, and members of the Advisory Council to DPI, Public Welfare, and Correctional Services conducted a study to determine what could be done to improve VR services for blind Nebraskans. They found that there was a decided dearth in the quality of VR services for blind people who needed specialized services across the country.

Richard Parker persuaded Dr. Jack Anderson, DPI Director, and at least one member of the Advisory Council to visit the Iowa Department for the Blind and see for themselves what a quality state VR program for the blind could look like. They came back suitably impressed, and after the committee concluded its study, the following recommendation was made:

“It is the recommendation of the committee that requirements for the position of the Director of the Division of Rehabilitation Services for the Visually Impaired be upgraded to include a higher level of professional or scientific education. It is believed that such upgrading will maximize the inclusion of the newest professional and scientific techniques which will result in the improvement of vocational services to the blind.”

Dr. Anderson challenged Richard Parker to find someone who was both blind and qualified to run a state VR program for the blind in Nebraska. After Parker contacted Kenneth Jernigan, Director of the Iowa Commission for the Blind and President of the NFB, for a recommendation, Dr. James Nyman, then a professor at Trinity University in San Antonio, Texas, was urged to put his name forward for consideration. Dr. Nyman began his administration as SVI Director on May 16, 1974.

Shortly after his administration began, Dr. Nyman got together with representatives of various consumer groups including Richard Parker, NFB; LaVonne Peterson, Nebraska Council of the Blind (an association including OAB, Nebraska Association of Workers for the Blind, Lincoln Braille Club, and Business Enterprise Vendors of Nebraska); Jerry Eckery, American Council of the Blind (ACB); and Veronica Hyman, Lincoln Braille Club to draft legislation. This ultimately resulted in LB 88, signed by Governor J. James Exon on February 10, 1975, establishing the Governor's Advisory Committee for SVI.

This was a significant event. While the Rehabilitation Act of 1973 encouraged the establishment of advisory committees for state rehabilitation agencies, it was not required. Early on, it became clear that SVI under Dr. Nyman was committed to a close working partnership with consumers including the broad spectrum of representatives from the blind community.

The composition of the 9-member advisory committee was supposed to be a fair representation of the blind community. So long as the Governor appointed members on the basis of recommendations submitted by consumer groups, this was not a problem. Things went well under Governor James Exon, but his successors, Charles Thone and Bob Kerrey, tended to make appointments based more on political affiliation than on fair representation. This was to create some difficulties during the first decade or so of Dr. Nyman's administration. For example, at one time, three representatives of the Committee for the Partially Sighted served on the advisory committee, shifting the focus more on low vision aids and devices and enhancements rather than on services for persons who were genuinely blind.

The Committee for the Partially Sighted also proved to be problematic on several occasions as it lent its support to efforts by the General VR agency to convince the Unicameral to merge SVI with general VR. Those efforts failed, in no small part due to support by the blind community itself. Eventually, attempts to merge SVI with general VR died out after the driving forces behind the Committee for the Partially Sighted, Dr. Zahn, left Nebraska and the Executive Director of general VR, Dr. Jason Andrews, retired in the late 1980s.

Dr. Nyman persuaded Sylvia Johnson, a former travel instructor at the Iowa Commission for the Blind, to leave the east coast to supervise the Nebraska Orientation Center for the Blind (renamed the Nebraska Center for the Blind in 2006). The initial Center team including Barbara Beach (now Barbara Loos), John Cheadle, and Rosemary Lerdahl soon pulled together a quality program based on high expectations and standards based on the model established by the Iowa Commission for the Blind.

At the 1974 NFBN state convention, Richard Anderson of Technical High School in Omaha approached Dr. Nyman for financial support of a new radio reading service, Radio Talking Book (RTB), established as part of a grant from the Corporation for Public Broadcasting. The previous Director, Dean McDermott, it was said, had pledged his support for RTB, and Dr. Nyman agreed to honor that pledge. A year later, financial support of RTB was initiated, and with the additional funding, Richard Parker became RTB's first Project Specialist (later Director).

James "Jim" Walker became the first blind travel instructor to work in the Center in 1975. Perhaps more than anything else, the insistence on hiring blind travel instructors in the Center exemplifies SVI's belief in blind people. This was at a time when the orientation and mobility profession steadfastly held that blind instructors could not teach cane travel skills without putting their students at risk. Fred Schroeder was hired as travel instructor in the Center when Jim Walker became an orientation counselor in the field in 1979.

The Nebraska Orientation Center for the blind represented an approach to teaching the alternative skills of blindness that was radically different from that found at other centers. While there appeared to be common features shared by the traditional model and the one practiced by the Orientation Center, there were irreconcilable differences in implementation. Both approaches concentrated on core training areas including braille and communications, cane travel, basic homemaking and IL skills, and perhaps a woodworking shop, but that is where similarities ended.

Training in traditional centers was short, perhaps three months or so long, and students did not wear sleepshades (or "occluders" as they were called in the profession) or, if they did, not until the end of training. Conventional wisdom among traditional training centers for the blind had it that students

needed to learn how to use their remaining vision along with the alternative skills of blindness. Graduates from centers like this often returned home without any real confidence in the skills they've learned, believing that whatever success they had in training was due to the limited vision they still had. If they experienced more vision loss, they often had to return to the center for more training.

The goal of training in traditional centers was primarily focused on the acquisition of "compensatory skills" with emphasis on learning how to best use any remaining vision a person might have. The term "compensatory skills" has since fallen into disfavor in more recent times. It suggested that loss of sight had to be compensated for, and whatever steps might be taken to accommodate vision loss, it couldn't be as good as the real thing. "Alternative skills of blindness," on the other hand, put non-visual and visual skills on the same level, no better or worse than the other. With alternative skills of blindness, blind people could expect to compete on terms of equality with the sighted.

The Nebraska Orientation Center far exceeded the objectives set by traditional centers. Whereas traditional centers tended to concentrate training on the alternative skills of blindness, training in the Orientation Center can be said to have been successful if a graduate leaves with:

- A set of alternative skills of blindness,
- A set of problem-solving skills for handling everyday difficulties due to blindness using the alternative skills of blindness,
- A positive understanding of blindness and confidence in oneself as a blind person,
- A belief that the world is accessible to blind people.

This approach to training assumes that blind people can process available information to arrive at solutions to problems due to blindness independently. Orientation Center students build confidence in their problem-solving skills as they successfully apply their alternative skills in progressively more complex situations. A more positive understanding of blindness is fostered as students examine their personal attitudes and feelings about blindness in weekly seminars. Frequent Center activities also reinforce personal self-confidence as students access community resources.

To accomplish these more comprehensive goals, Center training is nine months long on average, rather than the 3 months or so of training typically found at most other centers. Orientation Center students are expected to wear sleepshades during training hours if they have any functional vision at all. They are expected to use their canes at all times and apply the skills they are learning while living in the student apartments. Very few need to return for additional training if they experience more vision loss.

Over the years, NCBVI recognized the need to do more to prepare students for vocational training and the world of work after graduation. To that end, the Orientation Center was adapted to include career exploration and job readiness as part of its training curriculum. Also, the Orientation Center adapted its program to better accommodate the special needs of blind and visually impaired students with significant secondary disabilities or non-traditional clients with other ethnic or cultural backgrounds. This responsiveness to client needs continues to guide NCBVI in the field and Center training today.

If, for one reason or another, Center training was not an option, Orientation Counselors provided Training in the alternative skills of blindness to clients in their home. This community-based approach to training was called home teaching.

In 1975, field offices in Kearney and Norfolk were established to complement SVI offices in Lincoln, Omaha, North Platte, and Scottsbluff.

Another important innovation imported from Iowa was the introduction of immersion training of new SVI staff members. Beginning in 1976, all VR counselors, orientation counselors, and most administrative personnel were expected to complete three months of training in the Orientation Center, under sleepshades if they had any functional vision at all; other staff members went through shorter periods of training. To be the kind of state rehabilitation agency for the blind SVI was meant to be, it was imperative that all staff members understand the philosophy guiding the overall service delivery system for the blind and possess a strong belief in the capabilities of blind people. Immersion training became the primary vehicle for creating and maintaining a strong positive workforce dedicated to providing the best possible rehabilitation services for the blind and visually impaired.

In 1977, Dr. Nyman ordered a study of 495 successful competitive closures over a 5-year period from 1972 through 1976 with particular attention given to the coded degree of visual impairment and case outcomes. Of those closures, 165 individuals or one third (33.33%) were found to have visual impairments that were monocular in nature with no other limitations; another 104 individuals (21.4%) had visual impairments that stretched the legal requirement of having an impairment that was "...so defective as to seriously limit their ability to engage in the ordinary vocations and activities of life." Of the 495 cases studied, more than half (53.34% or 269 individuals) were found to have visual impairments that can be described as minor at best. The remaining 45.66% included individuals with a visual impairment coded as totally blind (only 8%) and those with visual impairments that could be said to possibly meet the legal requirement. These findings confirmed the contention raised by blind advocates that SVI was concentrating services and resources on individuals with considerable visual acuity while those with more significant visual impairments were neglected. A more restrictive standard of "...so defective as to seriously limit..." was quickly adopted and implemented to put the emphasis on serving those with the most severe visual limitations.

It is interesting to note some of the individuals who went on to prominence after working for SVI. Fred Schroeder, mentioned above, served as Executive Director of the New Mexico Commission for the Blind, Commissioner of the Rehabilitation Services Administration (RSA), and currently serves as a research professor at San Diego University working in the area of Vocational Rehabilitation, First Vice-President of the NFB, and President of the World Blind Union, and President of the National Rehabilitation Association. Rosemary Lerdahl, former Supervisor of the Lincoln District and Orientation Center, went on to work at the NFB National Headquarters and as Director of the rehabilitation program at Blind Industries and Services of Maryland, both in Baltimore. Christine Boone (former travel instructor in the Center and VR counselor in the Lincoln district) and Doug Boone (former shop instructor in the Center), went on to various positions with state agencies for the blind in Oregon, New Mexico, Pennsylvania, Michigan, and Oklahoma as well as providing consultation services focused on rehabilitation services for the blind.

**RAISING THE BAR: A TIME FOR INNOVATION AND IMPROVEMENT**

## **VR Services**

Throughout the history of the agency in Nebraska, the VR program prepared blind and visually impaired individuals to enter, retain, or advance in full-time or, if appropriate, part-time employment. VR services include, but are not limited to, alternative skills of blindness training, attitudinal adjustment, self-advocacy, individual and family counseling and guidance, career exploration, vocational training, job readiness training, job placement services, access technology services, and follow-up services.

The 1984 Rehabilitation Act amendments established the Client Assistance Program (CAP) to advise and inform clients and applicants of all services available to them under the Rehabilitation Act. Services included advising individuals of their rights and assisting with the resolution of difficulties they may have accessing VR or IL services. Victoria Rasmussen served as CAP's first Program Manager until 2016.

The 1986 amendments to the Rehabilitation Act included provisions to assist state agencies to develop and implement supported employment services on behalf of clients with the most significant disabilities. It defined and established supported employment as an acceptable goal. Supported employment is competitive employment in an integrated setting.

The 1986 amendments added Section 508 dealing with electronic and information technologies, but lack of enforcement mechanisms rendered this provision largely ineffective.

The 1992 amendments to the Rehabilitation Act required state rehabilitation agencies to hire "qualified rehabilitation personnel" consistent with a Comprehensive System of Personnel Development (CSPD). To be qualified, VR counselors had to have attained graduate level credentials in vocational rehabilitation counseling or related field. Prior to this, state agencies were not required to hire counselors who had formal training in rehabilitation counseling.

The 1992 amendments emphasized employment as the primary goal of rehabilitation and strengthened the role of consumers in planning services - stressing the importance of choice. "Presumption" of eligibility was established as a guiding principle, meaning that state rehabilitation

agencies could not deny services simply because an individual had a significant disability.

The 1992 amendments created fifteen-member state rehabilitation councils, citizen's advisory councils in each state to increase the voice of consumers in the policies and operations of state agencies. The State Rehabilitation Council replaced the old nine-member advisory committee for SVI established back in the mid-1970s.

The Workforce Investment Act (WIA) of 1998, including amendments to the Rehabilitation Act of 1973, created workforce investment systems with goals to increase employment, retention, and earnings of program participants; increase occupational skill attainment by participants; and, as a result, improve the quality of the workforce, reduce dependency of welfare recipients, and enhance productivity and competitiveness of the nation. WIA replaced the Job Training Partnership Act of 1982 and other job training laws with new workforce investment systems featuring state and local workforce investment boards and one-stop centers. Title IV of WIA amended the Rehabilitation Act to bring state rehabilitation programs and other workforce partners more in line with WIA's goal of returning people to work.

The 1998 amendments to the Rehabilitation Act included provisions reinforcing the principle of "informed choice" in the development of the IPE giving clients more control in determining the services, training, and technology needed to attain vocational goals consistent with their capabilities, abilities, potential, interests, strengths, and resources. The term Individualized Written Rehabilitation Program (IWRP) was changed to "Individualized Plan for Employment" (IPE). Also, Section 508 of the Rehabilitation Act was strengthened by assigning enforcement authority to the United States Access Board to oversee compliance standards for access technology.

The Randolph-Sheppard Act of 1936 established the blind vendor program creating opportunities for self-employment for blind entrepreneurs across the country. The program was administered by state licensing agencies (typically the state rehabilitation agency for the blind). The Randolph-Sheppard Act was amended and updated significantly in 1974 to expand opportunities for blind vendors entitling them and their state licensing

agencies to income from vending machines on all federal property. These amendments also provided for a priority - rather than a mere "preference" that had existed before 1974 - for the operation of blind vending facilities on all federal property, the establishment of elected committees of blind vendors in each state representing all blind vendors in the state, and due process for resolving disputes between vendors and state licensing agencies. These changes sparked interest in vending as a viable vocational option, and there was a significant expansion of the program in Nebraska in 1978. In 1996, Nebraska Business Enterprises expanded to include vending operations along the interstate. Currently there are 18 blind licensees (now the preferred term rather than "vendors") operating facilities on more than 100 locations including 3 cafeterias and all 20 rest areas on Interstate 80 across Nebraska.

Financial support from NCBVI for clients interested in self-employment has been available throughout the history of vocational rehabilitation services for the blind in Nebraska. In 2003, the process for requesting financial support was formalized to include the development of a business plan and review by a self-employment committee consisting of the Deputy Director of VR Services, NCBVI Business Manager, a representative from the business sector, and a representative from a financial institution. Towards the end of 2014, NCBVI contracted with a private company, Abilities Fund, to train NCBVI counselors and consumers in business skills necessary for success as independent entrepreneurs. Unfortunately, that contract was discontinued in June 2017 when the contractor was not able to continue because of health reasons. Still, the skills NCBVI counselors gained from this partnership are expected to result in positive self-employment outcomes for some time to come.

### **Programs for Blind and Visually Impaired Children and Youth in Transition**

SVI was quick to recognize the importance of starting blind and visually impaired children on the road to independence at an early age. In 1983, Extra Training 1 (ET1), a 2-weeklong IL skills training camp for blind children under the age of 14, and Extra Training 2 (ET2), a 2-weeklong IL skills training camp for blind teenagers started in Omaha. ET1 was eventually shortened to a weeklong program and renamed Summer Kids

Independence Program (SKIP). ET2 was also shortened to a weeklong program and renamed Project Independence (PI). Both programs were expanded to include blind and visually impaired children from other parts of Nebraska

In the mid-1980s, Round Tuit, an annual 2-day program, gave blind and visually impaired teenagers and young adults the information and resources necessary for success in later life. The program typically focused on a wide range of topics with particular emphasis on preparations for vocational training and eventual job placement. In 2002, the first day of the program was dedicated to skills and resources needed for success in college or vocational training and called the "College Workshop." The second day of the program, called "Round Tuit," was focused on employment. After 2007, the term "Round Tuit" was dropped and the program continued as the College Workshop. With the proliferation of special programs for blind and visually impaired students and youth in transition in more recent years, the College Workshop has become less than an annual event; the last one occurring in March 2017.

The first Winnerfest was launched in the spring of 1991 in Omaha at the Creighton University Retreat Center. This was a 2-day socialization program for blind and visually impaired teenagers held three times a year; later, the program was lengthened to three days held twice a year.

In 1994, the weeklong summer IL skills training camp for blind teenagers, Project Independence (PI), was replaced by a 6-week long summer work experience program for blind teenagers based in Lincoln, Work And Gain Experience in the Summer (WAGES). In the same year, SKIP, the weeklong summer IL skills training camp for blind children under the age of 14, was renamed Project Independence (PI).

In the early 1980s, the Omaha district provided one-day, monthly group home teaching sessions focused on the alternative skills of blindness for blind and visually impaired children and teenagers. Around 1998 or 1999, this activity was called Teen Adventures in Blindness Skills (TABS). Around 2011, TABS was split into TABS and Junior TABS. Junior TABS was designed more for pre-teen participation. In 2000, the Lincoln district began offering a similar group home teaching program for blind and visually

impaired students, eventually called STARS (Social, Techniques, Advocacy, and Recreation for Students).

In 2000, RSA awarded NCBVI (SVI was renamed the Nebraska Commission for the Blind and Visually Impaired or NCBVI in 2000) a 5-year, \$350,000 annual grant to operate a demonstration project promoting transition services for blind and visually impaired youth leaving high school. The project featured WAGES (Work And Gain Experience in the Summer), a six-week work experience program based in Lincoln; Opportunity Knocks (OK), a work experience program providing work opportunities for blind and visually impaired youth in their home communities during the school year; Winnerfest, a 3-day socialization retreat for blind and visually impaired teenagers held twice a year; and Project Independence (PI), a weeklong summer IL skills training program for blind and visually impaired children under the age of fourteen. To staff the project, NCBVI hired a Project Manager and three Transition Counselors, one for each district. OK was discontinued when the grant ended in 2005, but WAGES, Winnerfest, and PI still provide important services for blind and visually impaired youth in transition today.

NCBVI collaborated in a federal grant program awarded to the NFB in 2005 in support of a 5-year mentoring program matching blind and visually impaired teenagers and young adults with positive blind and visually impaired adult role models. After basic orientation and explanation of program goals, mentors and mentees met regularly and participated in coordinated activities designed to assist mentees in making a smooth transition from school to adult life and meaningful careers. At the time of this writing, NCBVI is preparing to collaborate with the NFB on another mentoring program.

A support network for parents of blind and visually impaired children was started in Omaha with quarterly meetings in April 2016. In August 2017, the Parents Network added a conference line making it possible for parents from across the state to participate.

### **Deaf-Blind Services**

The Midwest Association of the Deaf-Blind (MADB) provided peer support for group members from 1988 through 1992. MADB members participated in monthly meetings in Omaha and group activities promoting the

development of communication skills needed for effective interactions with others and accessing community resources.

In the spring of 1989, SVI sponsored a 2-week training program in Lincoln designed to give deaf-blind participants from Nebraska, Iowa, and Kansas information and resources to help them cope more effectively with dual sensory loss. The program included training in the alternative skills of blindness; information, resources, and services for people with deafness and blindness; information about different communication modalities and sign-language interpreters; community activities; philosophical seminars; and two motivational speakers from the American Association for the Deaf-Blind (AAWB).

Members of the former MADB and other deaf-blind Nebraskans came together at the Twin Towers in Omaha in 1997 to establish Hand-In-Hand, a peer support group for deaf-blind adults. Hand-In-Hand promotes greater community participation through group activities using sign-language interpreters and support service providers. Hand-In-Hand continues to provide support for deaf-blind residents of the greater Omaha metropolitan area.

In 2000, Helen Keller National Center (HKNC) awarded NCBVI a 5-year grant to start a comprehensive rehabilitation service program for people with dual sensory loss. Funds in the amount of \$50,000 were granted the first year of the program with a reduction of \$10,000 each subsequent year with the expectation that NCBVI would continue the program thereafter. Funds were used to hire a Deaf-Blind Program Specialist. NCBVI has maintained a close working relationship with HKNC over the years to the present.

### **Independent Living Services and the Older Blind Program**

The 1978 amendments to the Rehabilitation Act added provisions for IL services to people with disabilities who did not have a vocational goal (Title VII Part B), consumer-controlled centers for independent living (Title VII Part C), and IL services for older blind individuals (Title VII Chapter 2). These amendments made it clear that employment was not the only significant outcome to be gained from rehabilitation. The 1978 amendments also provided for protection and advocacy for individual rights and VR grants to Native American tribes.

Although the 1978 amendments provided for IL services for older blind individuals, it was an unfunded mandate. Efforts to start meaningful programs with state funding or other sources were limited by inadequate or inconsistent funding. Still, SVI quickly recognized the largely unmet service needs of the older blind population and expanded services to include them. Older individuals served by SVI at that time were referred to as “non-clients” since RSA was not then providing funds or collecting data in this area.

Recognizing the importance of helping blind people connect with and learn from other blind people as a supplement to training in the alternative skills of blindness, SVI counselors frequently provided transportation for clients to consumer conventions and chapter meetings. Opportunities for this kind of networking, particularly for older blind individuals, however, were limited in the more rural parts of the state, so, in 1981, the first peer support groups for older blind individuals were created in North Platte, Scottsbluff, and other rural cities. The concept of peer support groups proved to be very popular, and a network of support groups quickly grew to include others throughout Nebraska, including Lincoln and Omaha. Monthly meetings were facilitated by SVI personnel to promote greater understanding of blindness and build personal self-confidence as blind people.

Pearl Van Zandt played a pivotal role in the development of older blind services and the expansion of the peer support group network. In 1982, the first annual two-week Home Teaching + (HT+) program was held in Lincoln to complement home teaching. HT+ gave older blind individuals the opportunity to use and gain confidence in the alternative skills of blindness in an environment away from home. In 1988, HT+ was shortened to one week.

Using data collected from her work with older blind Nebraskans, Dr. Van Zandt published a number of articles on blindness in Physical and Occupational Therapy in Geriatrics (1983) and the Journal of Visual Impairment and Blindness (1984 and 1994).

By 1985, the network of peer support groups for older blind Nebraskans had grown to 12. A representative from each group met with Dr. Nyman and Pearl Van Zandt to begin the process of organizing at the state level.

A Lincoln lawyer, Mike Johanns, was brought in to draw up the Articles of Incorporation. In 1986, The Visually Impaired Peer Support (VIPS), a private, non-profit organization was formed with the mission to promote greater independence among older blind Nebraskans through peer support. With technical assistance from SVI, the network of peer support groups grew steadily to fifty by 2000. The highlight of its activities was an annual three or four day IL conference featuring a wide range of information and resources for participants made possible by a grant from SVI.

The 1986 amendments to the Rehabilitation Act finally provided funds for demonstration projects for Older Individuals who are Blind (OIB). During the first round of funding, 25 states were awarded discretionary grants. Competition for funds was fierce. An award one year did not guarantee continuation of the grant with the next round of applications. In one year, grant applications from twelve previously funded states were denied.

Dr. Pearl Van Zandt wrote the first discretionary grant application establishing the Nebraska Older Individuals who are Blind (OIB) program in 1990. It was at this point that federal reporting became mandatory and the practice of tracking services provided to older blind individuals in “non-client status” was discontinued. It speaks well of the program that SVI was able to continue uninterrupted funding until 2000 when it became a formula grant program eliminating the old competitive discretionary grant application process.

The 1992 amendments to the Rehabilitation Act transformed the Statewide Independent Living Council (SILC) in Nebraska. Since its inception in the mid-1980s, SILC had been little more than an advisory body with not much of a role to play in the administration of federal funds for independent living services. These amendments gave SILC more authority to guide statewide public policy regarding the direction of independent living services for people with disabilities, particularly those living in unserved and underserved areas of the state. Its primary responsibility was to coordinate the development and submission of a 3-year State Plan for Independent Living (SPIL) describing how federal funds (Title VII Part B of the Rehabilitation Act) were to be administered. The SPIL was jointly developed and signed by a representative of SILC, Nebraska VR Services, and SVI. Title VII Part B funds allocated to SVI were used to provide

independent living services to blind and visually impaired clients under the age of 55 who did not have employment goals. Part B funds allocated to SVI were also used to support SILC operations.

Prior to 1995, there were only two centers for independent living (CIL) in Nebraska - the League of Human Dignity and the Center for Independent Living of Greater Nebraska (now called Independence Rising). Both private, non-profit organizations received federal funding through Title VII Part C of the Rehabilitation Act. The far western part of Nebraska, however, was not served by a CIL, and, since Part C funds were already spoken for, the SILC was compelled to start up a new CIL to meet the unmet need using Title Part B funds from Nebraska VR Services (\$84,500) and SVI (\$15,500) to get things going. Panhandle Independent Living Services (PILS) opened for operations in 1995 with the mission to provide core IL services to people with disabilities living in western Nebraska. The four core IL services all CILs were expected to provide included information and referral services, peer support, advocacy, and IL skills training.

The Nebraska OIB Project transitioned from a demonstration program with discretionary funding to a formula grant program in 2000. Because of some peculiarities in this process, NCBVI received a discretionary grant and a formula grant for the OIB program in the same year, effectively awarding NCBVI nearly twice as much money to be used in the provision of services for older blind Nebraskans. The excess funding was used to solicit proposals for projects benefiting older blind Nebraskans. A grant was awarded to NFBN to start up Computer Options, an instructional program promoting the use of access technology based in Lincoln. Another grant was awarded to ACB-Omaha chapter to supplement Share a Fare, a subsidized half-fare taxi coupon program serving the greater Omaha metropolitan area. ACBN was also awarded a grant to start a subsidized transportation program in western Nebraska that ultimately did not work out.

OIB funds were also used to financially support the University of Nebraska-Omaha Low Vision Clinic, a major provider of low vision evaluations and low vision aids and devices; train and contract five Peer Consultants to work with VIPS peer support groups leaders and relieve the burden on NCBVI counselors; and continue an annual grant to VIPS, the major portion

to be used in the organization and coordination of an annual 3-day statewide conference for older blind Nebraskans.

When the National OIB Project became a formula grant program, it meant that states no longer had to compete for available federal funds for older blind services. Funding was allocated to the states on the basis of a pre-determined formula. Because of Nebraska's small population, NCBVI was only entitled to the base rate allocated to minimally funded states. As such, NCBVI has not received any increase in federal funding for older blind services since 2000. It also meant that administration of OIB funds was subject to different federal regulations. Whereas discretionary grants were used primarily to support direct services, formula grant funds had to include charges for operational expenses (e.g., rent, utilities, office equipment and supplies, transportation, drivers and readers, and staff salaries and fringe benefits).

RSA also determined that NCBVI had committed an excessive amount of staff time in the delivery of independent living services to older blind Nebraskans. This determination was made on the basis of the funds NCBVI had at its disposal. Looking at the total budget, 8.5% of NCBVI's federal allotment was dedicated to the Nebraska OIB Project; therefore, collectively no more than 8.5% of staff time should be spent on delivering services to OIB clients. In short, NCBVI had to curtail OIB activities to bring it more in balance with services provided to other clients.

Restrictions on the use of OIB funds were introduced slowly over the better part of ten years. Gradually, NCBVI counselors reduced the amount of time working with support groups while Peer Consultants took more responsibility for coordinating peer group activities. Even so, some groups did not do well and some group leaders believed that NCBVI was abandoning them.

In 2004, a committee was formed to consider more economic ways of providing independent living services as alternatives to the old Home Teaching + model. The last Home Teaching + event, a weeklong skill-building program giving older blind Nebraskans the opportunity to practice the alternative skills of blindness they had been learning in a setting away from home, occurred several years before. In 2005, Gate (Gain Alternative Techniques and Experience) based in the Lincoln district, SAIL (Senior

Adventures in Independent Living) based in the Omaha district, and FYI (For Your Independence) based in the North Platte district were launched, all 3- or 4-day programs held once or twice a year. GATE, SAIL, and FYI proved to be very successful. More accessible, economical group teaching services were being provided to more older blind Nebraskans than had been possible before when Home Teaching + events were held.

The Enrichment Foundation, a non-profit organization supporting charitable projects promoting independent living for people with disabilities residing in the greater Omaha metropolitan area, awarded funds to NCBVI enabling three blind and visually impaired teenagers from Omaha to participate in WAGES (Work And Gain Experience in the Summer) in 2006. Later that same year, the Enrichment Foundation awarded a grant to NCBVI for calendar year 2007 in support of PILBO (Promoting Independent Living for the Blind of Omaha). This is an annual grant providing funds for the purchase of assistive aids and devices, access technology, and services promoting greater personal independence in the home and community for blind and visually impaired recipients. NCBVI's partnership with the Enrichment Foundation has continued to the present.

In 2007, NFBN and ACBN joined in a legislative effort to secure funding for an Older Blind Program Specialist position to improve the quality of services for older blind Nebraskans. The Older Blind Program Specialist, based in Kearney, officially began on October 1, 2007. Approximately a year later, state funding was used to create an orientation counselor position based in Omaha to work with blind and visually impaired seniors.

### **Public Education and Outreach**

In 1980, SVI published "The Encounter," an illustrated booklet by Carl Olson describing what happened when a sighted person meets a blind person for the first time. The booklet quickly earned widespread national and international acclaim as a vehicle for public education. A number of public education videos were also produced at this time, all highly regarded.

By the mid-1980s, word of the remarkable things happening at positive training centers for the blind was gaining notice in far-flung areas such as the United Kingdom. In September 1984, Dr. Allan Dodds, Research Psychologist at the University of Nottingham, came to Nebraska to see for

himself. Dr. Dodds met with SVI staff and Center students to learn as much as he could about the training and how skills were taught. In particular, he observed Christine Boone, a blind travel instructor, as she worked with students learning how to use the long white cane as they travelled in the neighborhood around the Center. Dr. Dodds was to later call the instructional model he observed “structured discovery,” a term that has since been adopted in reference to this unique approach to rehabilitation services for the blind.

In 1991, Richard Mettler, SVI Public Relations Officer, coordinated the production of a full-color video animated adaptation of the SVI’s booklet, “The Encounter.”

In 1992, the President’s Committee on Employment of People with Disabilities presented SVI with the Media Award for the video recognizing it as the “...single best public education production of the nation for the year.” In 1994, “El Encuentro,” a Spanish-language animated adaptation of “The Encounter” was produced.

In 1995, Cognitive Learning Theory and Cane Travel Instruction: A New Paradigm by Richard Mettler was published, providing a comprehensive overview of NCBVI’s approach to teaching orientation and mobility to blind and visually impaired consumers using the structured discovery model. The book has since been widely distributed in the United States and abroad, and it is currently used as an instructional textbook in the Orientation and Mobility program at Louisiana Tech University in Baton Rouge. In 1997, an article highlighting the essential conclusions of the book, “The Cognitive Paradigm for Teaching Cane Travel: Orientation and Mobility for Blind People” by Richard Mettler, appeared in the Autumn 1997 issue of American Rehabilitation.

Throughout the history of state rehabilitation services for the blind in Nebraska to the present, the responsibility of educating friends and families of blind and visually impaired consumers, the public, educators, human service professionals, and vendors of products and services for the blind has always been held with utmost importance. Tours of the Orientation Center provide a highly effective means for demonstrating the alternative skills of blindness and the capabilities of blind people. SVI staff frequently conduct public presentations and in-services on blindness and represent

the agency at health fairs, employer conferences, consumer and professional conventions, and other events. SVI staff also served on numerous advisory groups, committees and task force initiatives, and boards involving other agencies and organizations including ACB, NFB, the Council of State Agencies for the Blind (CSAB), the American Foundation for the Blind (AFB), the Nebraska Talking Book and Braille Services (TBBS) program, Nebraska Advocacy (later Disability Rights), Brain Injury Advisory Council, local chambers of commerce, philanthropic organizations, and many others. SVI has also collaborated with ACBN and NFBN on numerous programs for blind and visually impaired consumers. Information regarding services and resources offered by other agencies and organizations of interest to blind and visually impaired consumers is routinely given to new referrals, and assistance with the application process is provided to those who need it. Close ongoing working relationships are maintained with agencies and organizations most responsible for referrals to SVI.

### **Organizational Changes**

SVI headquarters including the Lincoln District, the Orientation Center, the Business Enterprise Program, and administration moved from 1047 10<sup>th</sup> Street to 4600 Valley Road in 1984. In that same year, SVI established a computer access technology program and hired a Technology Program Manager to develop and implement computer and access methods in employment and education.

In 1996, The Nebraska Departments of Health, Social Services, Aging, and Public Institutions (including SVI) and the Office of Juvenile Services were rolled into one large state agency, the Nebraska Department of Health and Human Services System (renamed the Nebraska Department of Health and Human Services on July 1, 2007).

On March 27, 1998, Dr. James Nyman retired after nearly twenty-four years as Director of SVI. On March 30, 1998, Dr. Pearl Van Zandt began her administration as Executive Director.

## **THE NEBRASKA COMMISSION FOR THE BLIND AND VISUALLY IMPAIRED: CONTINUING THE TRADITION**

**LB 352**

Seven years of collective action on the part of the organized blind of Nebraska including the American Council of the Blind of Nebraska (ACBN) and the National Federation of the Blind of Nebraska (NFBN) came to fruition when Governor Mike Johanns signed LB352 into law on May 8, 2000, removing SVI from the Department of Health and Human Services System and establishing it as an independent, free-standing commission with a new name, the Nebraska Commission for the Blind and Visually Impaired (NCBVI) with a 5-member Board of Commissioners appointed by the Governor and a total annual budget just over \$2 million.

It is interesting to note that LB 352 contained provisions not only for a five-member Board of Commissioners but continuation of the fifteen-member state rehabilitation council. The Rehabilitation Act does not require a state rehabilitation agency to have a state rehabilitation council if it is a separate commission. This was a mistake in the legislation that was not corrected until the provision for a state rehabilitation council was stricken from state law the following year. Until then, NCBVI had two guiding bodies to help direct its policies and operations.

In 1999, prior to LB 352, NFB-Newsline®

for the Blind, a newspaper/magazine reading service providing telephone access to scores of national, state, and local newspapers and magazines, was launched as a pilot program available to eligible blind and visually impaired subscribers living in south central Nebraska. LB 352 mandated that NCBVI use some of its funding to establish NFB-Newsline® for the Blind as a permanent service to all blind and visually impaired subscribers statewide. NCBVI used Title I (Basic Support) funds to cover the initial costs and maintenance fees for NFB-Newsline® for the Blind and installation fees for the addition of local Nebraska newspapers to the growing list of publications available to subscribers; OIB funds were used to contract a coordinator to manage the service.

NCBVI did not become a separate commission without opposition. In fact, it went against the grain of the times. Conventional wisdom had it among legislators that bigger was better. This was especially apparent in 1996 when several state agencies were consolidated to create the Nebraska Department of Health and Human Services System. After becoming a commission, skeptical legislators kept NCBVI under close scrutiny as they

waited to see what would happen. There were some who were all too ready to put NCBVI back under the administration of another agency if it looked like things weren't working out. It was the power of collective action and blind people ready to stand up and testify in support of a state agency that believed in them that helped NCBVI navigate those early years.

## **Budget Considerations**

The strain of providing high-quality services in the face of diminishing resources became acute in 2005. The Governor proclaimed a 5% across the board funding cut to all state agencies. Various cost-saving measures were considered, rejected, and implemented. Measures including voluntary furloughs, staff layoffs, and tighter controls on purchase of goods and services, restrictions on staff training and travel, and other myriad changes were made, all for the sake of greater economy.

Use of OIB funds were also restricted at this time. Financial support of the University of Nebraska-Omaha Low Vision Clinic and RTB was discontinued. NCBVI terminated its contract with the Coordinator of NFB-Newsline®

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for the Blind services; however, Basic Support or Title I funds were used to continue financial support of the basic service itself and broadcasting of local Nebraska newspapers. NFBN continues to provide support for an NFB-Newsline® for the Blind Coordinator on a volunteer basis. The annual grant to VIPS was discontinued creating much difficulty, misunderstanding, and hard feelings. VIPS continued to sponsor a statewide conference for its members for another couple of years on its own, but eventually had to abandon this activity as funds declined. All of this occurred as grants for the Transition program and the HKNC Deaf-Blind Project came to an end in 2005.

Program income in the form of Social Security reimbursement was an important reason why NCBVI was able to maintain its emphasis on world-class quality of service for blind and visually impaired consumers. NCBVI was able to claim reimbursement from Social Security for all rehabilitation costs expended during the course of an individual's rehabilitation, if that person was able to get off Social Security benefits and begin paying taxes. NCBVI had and continues to have an extraordinary record of success in this area.

NCBVI was further able to supplement its budget by applying for re-allocation funds from RSA. States unable to spend federal funds awarded to them for rehabilitation services had to return unused funds to RSA. States in need of additional funds could then apply for these unused funds. In this area, NCBVI has also done very well.

Program income and re-allotment funds made it possible for NCBVI to invest in projects that did not require ongoing financial support from year to year. These funds were used to upgrade staff equipment, special programs for consumers, consultants, and staff training. Some of the special projects undertaken when funds were more plentiful included three-day statewide conferences for older blind Nebraskans in 2010 (“Standing Tall and Taking Charge”) and 2012 (Living the Full Life”) and a two-day blind artists workshop in 2013.

### **Striving for Professional Excellence**

NCBVI received a federal In-Service Training Grant in the amount of \$15,000 per year for five years starting in 2000. This grant made it possible for NCBVI to financially support staff members pursuing higher academic goals and arrange for quality presenters and trainers to promote professional growth. Even without this grant, however, NCBVI continues to invest heavily in quality in-service training opportunities. This includes financial support of staff members attending national and state consumer conventions and professional conferences focused on leadership training, professional development, rehabilitation services, technology, and other related special interests. It also includes the coordination of quality workshops and presentations addressing the most immediate training priorities facing NCBVI. More recent examples of this commitment include motivational interviewing training provided by the Institute For Individual and Organizational Change (IFIOC) (October 2016 through March 2017) and training provided by Mississippi State University on effective networking with employers (May 2017). NCBVI continues to assist staff members with educational goals promoting professional growth.

NCBVI’s mission statement, adopted in 2003:

Empowering blind individuals,

Creating opportunities, and

## Building belief in the blind

As noted earlier, the 1998 amendments to the Rehabilitation Act required state rehabilitation agencies to institute a comprehensive system of personnel development (CSPD) to ensure qualified rehabilitation personnel are available to provide VR services. To be “qualified” as a rehabilitation professional, it was necessary to have achieved graduate level credentials in vocational rehabilitation counseling or related field; however, there are no institutions of higher learning in Nebraska offering graduate level training in this area. Attracting applicants for VR counseling positions with the proper credentials to Nebraska often proved to be difficult, particularly in the more rural parts of the state.

TO make sure NCBVI employed qualified rehabilitation professionals that met CSPD requirements, LB 445 created a new licensing process, Certification of Vocational Rehabilitation Counselor for the Blind (CVRCB), in 2007. RSA consequently recognized this to be the minimum standard for qualified rehabilitation personnel in Nebraska for purposes of CSPD requirements. To earn CVRCB certification, new NCBVI employees completed 600 hours of immersion training in the Nebraska Center for the Blind

The National Blindness Professional Certification Board (NBPCB) was created in 2001 to establish professional standards in rehabilitation services for the blind. Dr. Pearl Van Zandt served on the NBPCB board from its inception until her retirement in July 2017; Jeff Altman, Center travel instructor, served on the board from 2004 until the present.

In 2008, NBPCB approved the Nebraska Center for the Blind (the Orientation Center for the Blind became the Nebraska Center for the Blind in early 2008) in its use of structured discovery methodologies throughout its program and a consumer-focused approach. At the time of this writing, the Nebraska Center for the Blind is one of only three NBPCB-approved state training centers for the blind; centers in Hawaii and New Mexico are the other two. NBPCB also approved three NFB training centers in Minnesota, Colorado, and Louisiana in their use of structured discovery methodologies.

NBPCB also certifies qualified blindness professionals based on a performance-based assessment of their ability to provide travel instruction

using a long white cane (National Orientation and Mobility Certification) and braille instruction (National Certification in Unified English Braille). At present, there are five NCBVI employees who have earned NCUEB credentials and one with NOMC credentials.

## **Workforce Innovation and Opportunity Act**

The Workforce Innovation and Opportunity Act (WIOA) of 2014 brought sweeping changes to the Rehabilitation Act of 1973 (as amended in 1998). Some of the more significant changes include:

- \* Increased stress on “competitive integrated employment”
- \* Determined “homemaker” and “unpaid family worker” to be no longer acceptable employment outcomes
- \* Distinguished between “students with a disability” and “youth with a disability” and services provided to both
- \* Provided for pre-employment transition services (pre-ETS) to students with a disability
- \* Provided for “customized employment” as a unique supported employment service for individuals with the most significant disabilities
- \* Mandated state rehabilitation agencies to determine the capacity of and individuals with disabilities in a subminimum wage status to work in a competitive integrated setting
- \* Created a workforce development system including state rehabilitation agencies and core partners working together to reform and strengthen the nation’s workforce

WIOA placed a much stronger emphasis on serving students and youth with disabilities than had existed before. In fact, 15% of vocational rehabilitation funds allocated to state rehabilitation agencies had to be set aside for pre-ETS (50% of the supported employment grant had to be set aside for this purpose). Pre-ETS was a new term introduced by WIOA. It included the following five required activities to be provided to students with disabilities:

- \* Job exploration counseling

- \* Work-based learning opportunities
- \* Counseling on post-secondary educational opportunities
- \* Workplace readiness training
- \* Instruction in self-advocacy

WIOA compels state rehabilitation agencies and schools to work together in a more coordinated, cooperative way ensuring the smooth transition of students and youth with disabilities from high school to adult life. In response, NCBVI hired a Transition Program Coordinator in September 2015. Existing relationships with schools have been strengthened as a result, and services have expanded to include special programs such as Blind and Socially Savvy, a social skills workshop to promote success in school and the workplace held in the summer and during Winnerfest and Reboot Camp, a technology workshop for blind and visually impaired students and educators, also held during the summer of 2016. WAGES was also expanded to include support for participants and their parents at the NFB National Convention in 2016 and 2017 where they had the opportunity to connect with a wide range of positive successful role models from many occupational backgrounds.

Prior to WIOA, provisions for supported employment services for blind and visually impaired individuals with the most significant disabilities occurred only occasionally. WIOA required that state rehabilitation agencies assess the capacity of all individuals with disabilities earning a subminimum wage to work in a competitive integrated setting. If an individual is found incapable of working in such a setting, the state rehabilitation agency making that determination had to reassess that individual's capacity for competitive integrated employment twice during the first year after the initial contact and annually thereafter. Individuals found capable of competitive integrated employment may be candidates for supported employment. (Customized employment is included in the definition of "supported employment," adding the "discovery" of individual attributes, interests, and skills to assist in the placement of individuals with little work history.).

WIOA mandated that federal funds could not be used to serve individuals with developmental disabilities until state rehabilitation agencies made a determination of the individual's capacity to work. This created a wholly

new relationship between state rehabilitation agencies and sheltered workshops and providers of supported employment services, a relationship that is still evolving.

WIOA changed minimum CSPD requirements for qualified rehabilitation professionals at the Bachelor's degree in Rehabilitation Counseling or related field. This is a lowering of professional standards set by WIA in 1998, but this has not changed how NCBVI certifies qualified rehabilitation personnel for work in the field.

WIOA calls for a more integrated workforce development system involving core partners including the Department of Labor (Adult, Displaced Worker, and Youth formula grant programs and Wagner-Peyser Act employment services), Adult Education and Training, and state rehabilitation agencies (Nebraska VR and NCBVI). The workforce development system also requires numerous employment agencies and programs all working together to link job seekers with employers. There are three workforce development boards across Nebraska with a comprehensive one-stop center in each local area providing access to physical services of the core programs and other required partners.

A four-year combined State Plan developed by the core partners describes how the system is to operate. The next combined State Plan will take effect in 2020. At the time of this writing, the core programs and other required partners are still learning to work together. Efforts are currently underway to identify an information management system to provide a common intake process for all participating programs. In addition, core programs and other required partners must develop memorandums of understanding and annual financial agreements in support of one-stop centers. The process of infrastructure building and development is likely to proceed for some time.

WIOA shifts administration of federal funds allocated to state rehabilitation agencies for a designated state entity chosen by the Statewide Independent Living Council (SILC). On October 1, 2016, Monroe Meyer Institute became the designated state entity charged with the responsibility of administering Title VII Part B funds. This is the grant NCBVI had been using to provide IL services to blind and visually impaired consumers under the age of 55. To replace these funds, NCBVI requested and the

Unicameral approved the inclusion of \$40,000 in the NCBVI's 2018-2019 biennium budget. Although NCBVI still participates on the SILC as an ex officio member, we no longer sign off on the State Plan for Independent Living (SPIL).

WIOA created a need for tracking data and services in a very different way. For example, a set of common performance indicators will be used to assess core program and other required partner activities. Also, sharper distinctions between services provided to different targeted groups needed to be made and tracked separately. To meet the challenge presented by these new requirements, it was clear that eForce was not going to work satisfactorily; a more comprehensive, sophisticated information management system was required. Towards the end of 2016, NCBVI contracted with Alliance Enterprises to train staff and provide technical assistance to get the new system up and running. On July 1, 2017 AWARE (Accessible Web Activity Reporting Environment) went live. NCBVI staff members are still getting used to the new system, but so far things are going well and there is every reason to believe that it will more than meet our data management needs.

### **Looking Ahead**

On July 9, Dr. Pearl Van Zandt retired as NCBVI Executive Director. NCBVI Board of Commissioners appointed Carlos Servan as Executive Director on August 18, 2017 after serving for twenty years as NCBVI Deputy Director of VR Services (Deputy Director of Client Services after his job title was changed in 2014).

It has been more than forty-three years since Dr. James Nyman brought a non-traditional model of rehabilitation services for the blind to Nebraska based on a belief in blind people. That model has been nurtured and refined over the years. NCBVI continues to set the standard for other state rehabilitation agencies to emulate. With the start of a new administration, the partnership between blind consumers and the state rehabilitation agency for the blind has been reaffirmed.

Acknowledgements:

A good deal of the information regarding the agency and the evolution of services in this history comes from conversations with current and past employees of NCBVI who can still recall earlier times. I also made extensive use of the internet to research the history of vocational rehabilitation services in general and the Rehabilitation Act in particular to add background material to historical developments in Nebraska.

Attribution of some of the source materials available to me cannot be properly assigned with certainty. Chief among these is a summary of historical events from 1917-1944 leading to the creation of the Nebraska Department of Services for the Blind thought to be written by Joe Balderson, a former counselor who worked for the agency in those early years.

Another significant document includes notes taken by Mike Adams, former SVI Deputy Director, during an interview with Don Misfeldt, another early employee, covering the early years of the agency (no date given).

Dr. James Nyman, former NCBVI Director, also contributed information in the form of articles and information shared through email exchanges and conversations. His articles include:

James Nyman, Ph.D., "The History of Rehabilitation in Nebraska," transcript of a presentation given at the NCBVI state staff meeting on April 2, 2014.

James Nyman, Ph.D., "Services for the Visually Impaired Advisory Committee: A Historical and Administrative Perspective," A transcript of a presentation given at the 1983 National Federation of the Blind of Nebraska State Convention

James Nyman, Ph.D., "What is Structured Discovery," 2001

James Nyman, Ph.D., "The History of Blind Travel Instructors in Nebraska,"  
no date attributed

Other notable articles include:

Jeff Altman, "The Long Cane," Braille Monitor, 2008

Dr. Allan Dodds, "Structured Discovery: It's Historical Origins," Braille Monitor, 2008

Timothy Elliott, Ph.D, and Paul Leung, Ph.D., "Vocational Rehabilitation:  
History and Practice," 2004

Fatos Floyd, "25 Years of Training for the Blind in the Orientation Center,"  
Braille Monitor, 1999

Floyd Matson, Ph.D., Walking Alone, Marching Together, 1990

James Omgig, Ph.D., "Summary of the Education and Rehabilitation of the  
Blind," American Action Fund, 2017

Danika Taylor, "A Review of Rehabilitation in America: Reflections on the  
Past, Observations of the Present, and Speculations about the Future,"  
Braille Monitor March 2005