

History of blindness services in Nebraska

Remarks prepared by Dr. James S. Nyman's for presentation to the staff meeting of Nebraska Commission for the Blind and Visually Impaired
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Edited, revised and organized by author.

Preliminary remarks

Fatos Floyd instructed me that I should talk about history. The first thing that comes to my mind is that on September 17th, 1787, when the constitutional convention was breaking up in Philadelphia, Benjamin Franklin walked out of the room where they were holding their meetings and some citizen accosted him and said "Well, Mr. Franklin, what have you made for us?" His response to that was "A Republic, Sir, if you can keep it". After hearing Mike Hansen today, I would say that you've got a commission, (and a pretty good one) if you've got guys like Mike Hansen, you've got a pretty good chance of keeping it.

It's not exactly the most durable form of political organization, for an agency serving the blind, but, we're very optimistic, at least I'm very optimistic, that this will be a sustaining kind of an operation, so, I congratulate the people who are on the commission, and I congratulate Dr. Van Zandt as the Director, (Executive Director, sorry about that).

It was 16 years ago on the 27th of March, that I retired after 24 years as director, so I've been retired for 16 years. That means that on the 30th of March, Dr. Van Zandt became Executive Director, with that weekend off, nobody was director. During that weekend, I'm glad nothing went wrong, but, at any rate, since that time, Dr. Van Zandt has been the Director, Executive Director now, and I also congratulate the Commission on its wisdom in that respect., Like I said, quoting Benjamin Franklin, you have a Commission, actually he didn't say that, but he said a republic, but in a sense, a commission is an organization, like a republic, representing the people who are served by it who are the best judge of its performance and the commission board members are the representatives of them. So, I am optimistic that you have something you can keep, and I certainly have the confident belief that it's something that you should keep.

Autobiographical prelude

Like I said, it was 16 years ago that I retired, and, if there is anybody here when I was still there, you have been here too long, except for Pearl, of course. If you keep anniversaries in mind, you might also recollect that I was born precisely 84 years ago next Wednesday but my life really began eleven years and three days later, on the 12th of April, 1941, when I became a blind person. It was that, that real start that launched me on a life trajectory that was satisfying and fulfilling in many ways, and at many times, but not always, and forever.

Perhaps I can give you a sense of the scope of the transformation that blindness brought to the direction my life was taking. I will attempt this by recounting my educational experience before my dynamiting accident. In the autumn of that year, I traveled from my home in rural British Columbia to Vancouver to attend the residential School for the Deaf and Blind. Until that time, my education (if it can be called that) took place in a succession of village schools where I flunked the first grade, repeated it and, when the family moved to a different village, I missed several months of school and was placed in the second grade. It quickly became apparent to the teacher that I was well behind the other pupils, so she returned me to the first grade. Before the end of that school year, we moved once more and because five members of the seven children in our family were school age, a local school was opened. I was placed in third grade and there was one other pupil in that grade, but the teacher soon concluded that I was not as smart as Frances, the other one, so she returned me to second grade. One year and that school closed, so we were transported daily to another town, four miles distant, where I was placed in fourth grade, after missing several months. It was in April of that school year 1941, that I had my

dynamiting accident and lost my sight. In August, my Mother turned me over to the staff of the School for the Deaf and Blind in Vancouver. I was not a party to the review of my academic record, but the result was the decision to start me at the beginning of the fourth grade. In retrospect, I would have to say that was a generous estimate. Fortunately, my teacher, Arnold Archibald, himself blind, was a catalyst that began my education. He was a superb teacher and without a long-winded lecture about the importance of braille literacy, he sat me down at the beginning of the school year and said, "Okay, Jimmy, We're going to learn to read." Right away, it became exciting to learn. Prior to that I could read the alphabet, but I didn't know what the words were about. Mr. Archibald soon taught me the Braille alphabet and the contractions. It was very simple and easy to learn—in spite of what some teachers would have you believe. I quickly mastered Braille and I've been reading ever since. Since Mr. Archibald had to retired for health reasons after I had been there for just seven years, I finished my final two years of high school without a teacher. Between graduation and college, I worked for two and a half years as a blind vendor. I entered college at the University of British Columbia in the autumn of 1952 and, after graduation, I went to Berkeley and obtained a Ph. D. in political science from the University of California. I engaged in academic teaching and research for eleven years after leaving Berkeley. That is a brief account of the education, experience and philosophy I brought to the position of director in 1974.

Background of my appointment

Some of the background of my appointment is probably not terribly well known, and given the political factors that were involved probably a lot of it should not be known.

Some of you will recognize the name of Richard Parker who was elected as President of the National Federation of the Blind of Nebraska when it was organized in 1971. He promptly got a senator to introduce the White Cane Law and support it to passage. He persuaded the director of public institutions, Dr. Jack Anderson and Governor Exon that a change in the philosophy of programs for the blind was needed in Nebraska. He persuaded Anderson to visit the program of the Commission for the Blind in Iowa and meet Kenneth Jernigan. Anderson was greatly impressed with the excellence of the program in Des Moines. On the basis of this visit and other considerations, Anderson gave Parker a challenge, he said "Alright, I'm prepared and willing to hire someone who is both blind and qualified, and if you can identify such an individual to me, I will be glad to give serious consideration to that person."

Parker, being an astute political individual, contacted Kenneth Jernigan, executive director of the Iowa Commission for the Blind, who was also president of the National Federation of the Blind, and said "Do you know anybody who might be willing to take that chance, make that move." Jernigan contacted me and said, "I think maybe you should write a letter to Dick Parker and see where that goes." I did, and I spoke very glowingly of myself, (you might be surprised to hear that). On the basis of what Parker presented to Dr. Anderson, I quickly got a call, inviting me to come to Nebraska for an interview. I did come toward the end of December of 1973.

I think the day I arrived in Nebraska, the temperature was 29° below zero, and I had just come from Texas where the temperature was probably in the seventies. I thought about it for a while, but he was very confident; he said that this weather does not last all year round. I said, "Well that's certainly very encouraging."

I had a contract to fulfill at the college where I taught in San Antonio, and said I wouldn't be able to come until early in May. He said that would be OK with him. It also happened that that year, in May, there was a primary election going on, at the gubernatorial level, and Governor Exon didn't want anything to happen that might stir up the resentment of some of the voters, because one of the candidates for Lieutenant Governor was Terry Carpenter, who was regarded as what you might call the Western Nebraska equivalent of Ernie Chambers--a thorn in the side of everybody. Exon didn't want anything disruptive to happen; so, because I had already made my arrangements for leaving Texas, on the 2nd of May I arrived in Nebraska. Since it would have been awkward to have me hanging around, doing nothing, Dr. Anderson offered me \$100 a day as a consultant, he said, "But, if you'll get out of state." Which I gladly did. So I traveled about the country a little bit to explore some of the trends in the field, and returned on the 13th or 14th, pocketing my \$100 a day consultant fee, and then was appointed as director, effective officially on the 16th of May, 1974.

That's a bit of history which, in some sense, could have led to me not being here today. The Director of Public Institutions had dismissed my predecessor, Dean McDermott, but had not done a very good job of taking care of certain personnel procedures that should have been taken care of. McDermott appealed his dismissal and, lo and behold, he won his appeal. The personnel boards issued the interesting order that he be restored to his previous position. His previous position, unfortunately, for Mr. McDermott, had been upgraded, so there was no previous position that he could return to. After some tense negotiations, matters were resolved, so I managed to survive the first two or three months. That delay only slowed the initial implementation of some of the changes I hoped to make. I was a new-comer to the idea of running an agency for the blind or holding any kind of administrative or management position. Even though I was a newcomer to management, I was not a newcomer to blindness, and I was certainly not a newcomer to advocacy on behalf of blind causes.

Prior to the actual appointment, I had served as a member of a national level advisory committee, focused on services for the blind, in what was then the Department of Health, Education, and Welfare. I was the official lobbyist of the National Federation of the Blind of Illinois in 1968-69 when we were able to lobby through the model White Cane Law. I became a lobbyist with the Texas affiliate of the NFB when I moved to Texas from Chicago in 1969. What with serving on the advisory committee, and everything else, my inclinations had shifted more toward working outside of academia, working in a more direct way not just simply advocating, but actually taking over the management of a program for the blind.

I've been a blind individual for 73 years, and next week I will have been on the surface of this earth for 84 years, so, I've been around the block a few times.

Framework for the history of services

The history of services for the adult blind in Nebraska can be dated to 1917. (I'm sorry I won't be able to go back to 1787, to get any more quotes from Benjamin Franklin about that), but any way, 1917 is the best we can do.

For the purpose of giving some semblance of structure to the history of services for the adult blind, I will divide the history into six segments, based on relevant political activity during the specific time frames and the administrative structures that were put in place to provide the services.

1A: 1917-1936 Beginnings. 1B: 1936-1943 Political activity and success. 2: 1944-1962 First phase. 3A: 1962-1971 Growth and expansion. 3B: 1971-1974 Politics of dissatisfaction. 4: 1974-1996. Transformation and empowerment 4A: Transformation. 4B: Empowerment and advisory. 4C: Empowerment and peer support. 4D: Empowerment and transition. 4E: Empowerment and public education. 4F: Empowerment and publication. 5: 1996-2000 A step backward. 6: 2000 to the present: Triumph of politics.

1A: Beginnings:

The best source of information about activities and administrative structure in the first period is an unsigned document we assume was written by Joe Balderson, a former employee of the Division of Rehabilitation Services for the Visually Impaired. Balderson had been a counselor in the early years of DRSVI. He later worked as a counselor for the Iowa Commission for the Blind. Balderson was a blind individual and from the style and content of this document, it appears that he participated in the political activities from 1936 onward until the Legislature authorized the establishment of the Division.

In 1917, the Nebraska legislature appropriated \$5,000 to provide services to adult blind persons to assist them to find employment and establish small home-based businesses. The legislation allocated the funds to the Board of Control and assigned the responsibility for administering the money to the superintendent of the residential School for the Blind, which was under the jurisdiction of the Board of Control. He employed an individual to manage the project of making placements and establishing home-based manufacturing businesses with blind individuals. In a stroke of extremely bad behavior, during the two-year period while he was administering this \$5,000 appropriation, he up and died. The money was then reverted to what was then called the Nebraska Association of Workers for the Blind (NAWB), in effect the Alumni Association of the residential school. This organization, NAWB, had been responsible

for persuading the Legislature to pass the appropriation in the first place. I have no record of how the organization used the remaining funds. Since I have no way of knowing how the Association may have spent the remaining funds. It is possible it was devoted to the original purpose of providing economic opportunities for blind persons. However, it is significant to note that the passage of the legislation and making of the appropriation was the result of the lobbying efforts of blind persons in the Association. That was a promising beginning, but it was only a beginning, and the beginning was an ending very quickly..

There was another provision of that law which is part of the history but also of current practice of providing services for the blind and visually impaired. It is part of the rationale for selecting clientele by the commission for the blind and that is the definition of blindness. As originally adopted (and you'll recognize most of the language here) the definition of blindness reads: "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. The little word "also" suggests that most people thought blind just meant that you couldn't see at all, so they wanted to expand that into areas where there was some visual acuity without stipulating the extent, except to say it should be so severe as to seriously limit their ability...etc. (The little word, "also" apparently disappeared from the definition as part of a general revision of Nebraska statutes during the 1920's.) In 1962, a referral of the definition was made to the Attorney General's office for an interpretation as to how far that went: did it include the people who could see quite a bit; the interpretation was it did.

1B: Political activity

Activity during the period from 1936 to the time of the establishment of an agency for the blind in 1944 became more intense. More organizations of blind persons became involved and legislative activity increased. I will draw on the document that was mentioned above by Joe Balderson since it contains more detail than any other account. He reports that, during the fall of 1936, Rosemary Tuttle, executive secretary of the local Red Cross, had become interested in the welfare of the adult blind and met with Mr. Arthur Jewel, Director of the State Department of Vocational Rehabilitation and Miss Ethel Doty, president of the Omaha Association of the Blind to discuss the problem. As a result of these discussions, they became interested in promoting legislation which was drafted and a measure was introduced in 1937 to transfer responsibility for the state program for adult blind from the Board of Control to the Department of Vocational Rehabilitation. The involvement of the Department of Vocational Rehabilitation, as Balderson relates, continued through the following years. He was unsure whether this legislation passed, but Congress had just passed the Social Security Act and a member of the Nebraska Board of Control, under the impression that the activities and services requested under the Nebraska legislation would be included within the provisions of the Federal legislation. So advised the Governor, Mr. Cochran. As a consequence of this advice, the Governor vetoed the bill. This mistaken belief resulted in further delay in creating a system of service for the adult blind, but even mistakes can be helpful! To continue with the Balderson account: he reports that during the 1937 session, the legislature passed a bill to establish a \$30 per month pension for the blind, but this was not implemented as the measure had been superseded by provisions of the Social Security Act.

In July 1937, the Board of Control, under the impression that it would have funds from the Social Security legislation, called in a representative of the American Foundation for the Blind to make a study of the needs of the blind and to make recommendations." After a determination was made that funds would not be available from the Social Security Act, any recommendations that might be made could not be put into effect.

Balderson's account continues: "In 1939, the Nebraska Association of Workers for the Blind and the Omaha Association of the Blind through joint committees on legislation introduced legislation to establish a separate State Commission for the Blind, which would have a five man state commission directly responsible to the Governor. It is my recollection that this legislation died on Senate file before final action was taken." Nevertheless, once again the two organizations of blind persons had taken the lead in promoting legislation to create a service system for the adult blind.

Balderson's account for the 1941 session of the legislature and the activities of the blind groups exhibits the complexities of competing interests in the struggle for a meaningful system of service for the blind. Quoting Balderson at length: "Following another two-year period of waiting for legislative session and after considerable further study, the organized blind of the state again introduced legislation

requesting a State Commission for the Blind. During the course of this legislation, our blind met with several strong reactions and drew considerable attention from many sources. Shortly after the bill to establish a State Commission for the Blind was introduced, a delegation of the adult blind called upon Governor Griswold for the purpose of securing his cooperation in passage of our legislation. Although we received most courteous and sympathetic attention from the Governor, we learned that our request for a separate State Commission for the Blind would conflict with a campaign pledge which the Governor had made to the effect that no new agencies or commissions would be established within the state government. In answer to this objection on the part of the Governor, we requested his cooperation in approving legislation to combine the activities provided by our legislation with those of another state governmental group. While it is true that we were under considerable pressure to assign these duties to the State Department of Vocational Rehabilitation, the representatives of the Nebraska Association of Workers for the Blind and the Omaha Association of the Blind were unwilling to sponsor such legislation. Those persons representing the two groups of adult blind were firmly convinced 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. (Insofar as anyone connected with the two organizations at this time could recall, the only services which the Department of Vocational Rehabilitation had provided was college tuition for an occasional brilliant graduate of the Nebraska School for the Blind. The great majority of the blind adults were anxious to see a program introduced which would include a broader base of service to the blind. Blindness in itself is a much more severe handicap than the loss of most other types of physical faculties. It was contended by the adult blind that special facilities should be established to bring a specialized service to the adult blind group. The variety of services desired extended well beyond the established limitations of the Department of Vocational Rehabilitation and it was for this reason that the adult blind were unwilling to compromise by relegating these duties to the Vocational Rehabilitation Division. By mutual agreement, it was concluded that the adult blind would prefer no program to a program established under the supervision of the Department of Vocational Rehabilitation. This feeling was strengthened by the activities of certain personnel with the Department of Vocational Rehabilitation. Members of the Vocational Rehabilitation staff called upon some of the prominent citizens and legislators who had been recruited by the blind to assist them in their legislative campaign. These persons were very indignant with this activity on the part of the Vocational Rehabilitation staff members. It was also apparent that the primary purpose of the Vocational Rehabilitation Division was in securing any funds which might be allocated by the Legislature to carry on a program for the blind.) Our bill, which had been written to establish a State Agency for the Blind, was rewritten to establish the program under the supervision of the State Department of Public Instruction. This proved to be a futile attempt since at that particular time the State Legislature was disgruntled with the State Superintendent of Public Instruction and was violently opposed to placing any additional authority or program under his supervision. Before the first reading on the Floor of the Legislature could be completed, we requested that our bill be tabled so that it could be rewritten. In rewriting the bill, we referred back to the legislation passed in 1917 placing the responsibility for the program under the supervision of the State Board of Control. While it is true that we had the sympathy of the great majority of the Legislature, even this rewriting was unsuccessful. The Chairman of the Appropriations Committee was sympathetic to the State Department of Vocational Rehabilitation and sold the Legislature on the idea of appropriating an additional \$10,000 to that agency. The members of the Legislature felt that the requested services would be provided through this appropriation. The increased appropriation was passed and approved by the Governor. This action occurred late in the legislative session and it was impossible for the blind to register a protest in sufficient time to secure recognition. However, a letter of protest was sent to each individual member of the Legislature and to the Governor." The more things change, the more they stay the same! The patterns of politics that emerged in these early years were to be repeated in following years. It was clear to the political leadership of the organizations of the blind that the general vocational rehabilitation agency could not provide the specialized services required by blind persons. After a two year hiatus, his account continues: "In 1943, the legislative committee of the Nebraska Association of Workers for the Blind and the Omaha Association for the Blind reintroduced the bill providing for the establishment of Services for the Blind under the State Board of Control.

In the passage of the increased \$10,000 appropriation to the State Department of Vocational Rehabilitation, the Legislature had failed to earmark the funds or to designate that they be used to establish a program of special services to the blind. As a consequence, the Department of Vocational

Rehabilitation had been free to spend the money in any way it deemed advisable.” It appeared that the general vocational rehabilitation agency had deemed it advisable to only expend some \$3,500 of the \$10,000 appropriation in serving eleven blind persons in the two year period. The account continues: “Our legislative campaign during this 1943 session was very simple since many of the Senators from the 1941 session had returned to the Legislature and were familiar with the intents and purposes for which the \$10,000 increase in appropriations had been made to the Department of Vocational Rehabilitation.” The cause of establishing a separate and specialized service system for the blind was further advanced in 1943 when Congress passed the Barton-Lafollett Act “...encouraging services to the blind and providing Federal-matching funds.” In response, the Nebraska Legislature quickly acted: Legislation authorizing the Board of Control to establish services for the blind was passed in 1943 with no opposition. A \$15,000 appropriation was passed, matching the same sum from the Federal government.

2. Establishment of services:

In July 1944, the Department of Services for the Blind was created by action of the Board of Control.” The department for the Rehabilitation Services for the Visually Impaired began its operations with a staff of six, under the direction of Harold Salter. In addition to delivering independent living services for blind individuals in their home and community setting, the agency had some success in job placement since wartime production was in need of workers. A priority was assigned to the new agency to compile a register of the blind in the State. Although we have very little direct evidence as to the emphasis of services during the nearly two decades of the Division’s existence from 1944 to 1962, it is clear that the main emphasis was on delivering training services for independent living to clients. Offices were established in Lincoln, Omaha, North Platte and Scottsbluff in order to provide the services more effectively across the State. Some increase of staffing occurred, but the period of rapid growth did not occur until the 1960’s when more funding became available from the Federal government.

3A: Growth and expansion:

In 1961, the Board of Control went out of existence as an entity in State Government. It was replaced by the Department of Public Institutions. The Division of Rehabilitation Services for the Visually Impaired was located within the Department. The Department was also assigned responsibility for a number of other services: Developmental Disabilities; regional facilities for the mentally disabled in Hastings, Norfolk and Lincoln; Veterans homes in Omaha, Norfolk, Grand Island and Scottsbluff and, somewhat incongruously, correctional services. In addition, there was created an advisory committee for Public Institutions, Public Welfare and Correctional Services. This Governor’s Advisory Committee was to play a significant role in the future of DRSVI. Until 1971, the Division was headquartered in the State Capitol, but in that year, the former orthopedic hospital building at 1047 South Street was acquired and the headquarters staff moved to that location. This move enabled the Division to initiate a limited residential component for providing independent living skills training. Staff was hired to train clients in limited one and two week sessions in the lower floor of the building with training in cooking, travel, Braille, clerical skills and crafts. Clients were lodged at the Lincoln Regional Center and transported daily to the South Street location. With new funding from the Federal government, the Division also acquired a van and began a mobile system in which staff was transported to various locations in the State and provided similar services to blind individuals who resided in the nearby area. These training sessions lasted, generally, for one week. Whatever benefit these sessions may have had for blind individuals, they were very unpopular with the staff who were required to spend much time away from their homes. These short-term training projects appear to have been motivated by the current emphasis on community-based services. During this time frame, with funds authorized by Congress in the Supplemental Security Income law, the Division also created a special unit which stressed placement for blind clients.

It was noted earlier that the Attorney-General, in 1962 had rendered an interpretation of the 1917 definition of blindness that extended the meaning of “blind” to those whose vision could only be considered “so defective as to seriously limit their ability” with a considerable stretch. The interpretation sanctioned the Division in accepting clients who experienced negligible visual impairment. The combination of this shift to the high end of the visual spectrum and short-term independent living training to more severely impaired clients prompted a strong reaction from the newly-organized chapter of the National Federation of the Blind. Demands for a change persuaded the Director of the Department of Public Institutions, Jack R. Anderson, to initiate an investigation, in conjunction with the Governor’s Advisory Committee on Public Institutions to explore the complaints. The result of the investigation and the strong advocacy by Richard Parker, President of the NFB affiliate, was a public meeting of the

Governor's Advisory Committee on September 28, 1973. The meeting was well attended by representatives of most of the organizations of the blind and strong views were voiced.

3B: The meeting and recommendations:

Among organizations of the blind were representatives from the Nebraska Council of the Blind (NCB), an umbrella group which included representatives from the Omaha Association of the Blind, Business Enterprise Vendors of Nebraska, Nebraska Association of Workers for the Blind (at the time, American Council of the Blind affiliate in Nebraska) and the Lincoln Braille Club; National Federation of the Blind of Nebraska; and a number of unaffiliated persons. Dean McDermott, director of DRSVI, and Jim Lenneman, vending program manager, represented the Division. A number of strong criticisms were voiced by Richard Parker and other NFBN members. Strong reservations were expressed about the visual characteristics of clients who were served, in particular, those with negligible visual impairments receiving most attention and those who had more severe impairment receiving mainly short-term and inadequate independent living training in the South Street center or home and community settings. Members of NCB and the American Council of the Blind were generally supportive of the present services being provided by the Division and its director. The members of the Advisory Committee had undertaken an extensive study of the Nebraska program and programs in other States.

After the expression of vehement opinions by critics and supporters, the Advisory Committee presented the two recommendations they were to consider. "The Advisory Committee has conducted a rather detailed study of the programs offered by the Division of Rehabilitation Services for the Visually Impaired during the progress of this study, the Committee has become aware of scientific, professional and technical advances in programs for the visually impaired throughout the nation. It is the recommendation of the Committee that the requirements for 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 would maximize the inclusion of the newest professional and scientific techniques which will result in improving the quality of vocational services to the visually impaired in Nebraska." This recommendation was to be implemented by the Director of Public Institutions. The second recommendation reads: "It is also recommended that Dr. Anderson select a committee broadly representing blind groups to assist with interviewing and selecting candidates." They then retired into executive session to consider the two recommendations. The recommendations were passed unanimously by the Advisory Committee.

The second recommendation, however, was only carried out at best in the spirit of what the Advisory Committee may have intended. Dr. Anderson consulted with Richard Parker who assisted him in selecting James Nyman as a candidate for the upgraded position. After an interview, the appointment was made and effected on May 16, 1974.

In defense of this shortcut, it can be pointed out that it was only the National Federation of the Blind representatives who expressed the need for change in programs and administration. A more broadly representative selection committee would almost certainly not have advised the employment of someone who had personal and philosophical ties to the National Federation of the Blind.

4. 1974-1996: Transformation and empowerment:

4. A. Transformation:

Two critical themes that emerged from the comments of Richard Parker in the meeting of the Governor's Advisory Committee were, first, the inadequacy of the short-term training offered to severely impaired clients of the Division and, second, the related issue of the disproportionate service to individuals with limited visual impairments.

First, as expressed by Richard Parker in the public phase of the meeting: "The center in Lincoln operates for a week and then is off again. You can't give severely impaired or blind—you can't teach braille, mobility or daily living skills in short one or two week programs." In addition to the traditional method of home teaching, the Division had initiated two variants on teaching those skills: after acquiring the facility at Tenth and South and purchasing a van, short one and two week programs were conducted for clients on a residential basis in Lincoln or in communities across the State on a mobile itinerant basis. When the issue of Dean McDermott's dismissal had been resolved, Dr. Nyman proceeded to plan for a more comprehensive training approach. Initially, he assigned the current supervisor of the Center program to visit Iowa and study the approach of the Iowa Commission for the Blind. Unfortunately, without informing Jernigan or Dr. Nyman, the individual failed to show up in Des Moines. At this point, the decision was made to seek an alternative. Sylvia Johnson was contacted and persuaded to leave her position as a travel instructor in the public schools of the District of Columbia. She had previously been a

travel instructor in the Iowa program and understood the meaning of excellence in a training center. She very quickly molded the existing staff in the Center into a coherent team, imbued with a philosophy of training that stressed the integration of skills into a confident attitude toward entering society as an active participant. Even in the short period she spent as supervisor of the Center program, she had instilled a spirit of a positive philosophy that translated into teaching both the necessary skills and the motivation to practice them in an active life. When Sylvia left to marry, Dr. Nyman felt such strong confidence in the competence and commitment of the Center staff that he challenged them to meet and select one of their number to succeed Sylvia. They returned with the recommendation that, rather than one of their number we should offer the position to Mike Adams. This was done and a wiser choice could not have been made. The Center gradually developed into a program in which individual students could stay for as long as nine months. The mobile van project was discontinued and efforts were undertaken to improve the quality of home teaching for those who would not be attending the Center program.

In order to improve the quality and quantity of rehabilitation training by home teachers, area offices were opened in Norfolk and Kearney. This improved the efficiency of counselors by reducing the cost and time of travel to work with clients. The change increased the quantity and improved the quality of work by counselors from all the offices by shrinking the size of the territory they had to cover.

Under Mike Adams' leadership, the Center soon became a venue for training new staff so that the same philosophical commitment became a common outlook across the agency.

Second, the concentration on serving individuals with limited visual impairments had to be addressed. When the existing caseload had been cleared, a survey was undertaken of the competitive closures over the five year period from 1972 through 1976. This study examined the coded degree of visual impairment with the case outcomes for 495 clients. It turned out that 165, precisely one third (33.33%), of the closures during that period were of individuals whose impairment consisted of monocular status with no other limitations. An additional 104 (21.01%) had visual impairments that would not satisfy any reasonable standard of the legal requirement of being, "...so defective as to seriously limit their ability to engage in the ordinary vocations and activities of life." Taken together, the total of 269 closures constituted 54.34% of the successful case outcomes. Of the remaining 226 (45.66%) closures, only approximately 8% were totally blind and the remaining 37% had visual impairments that could possibly meet current standards. This result documented the claims that had been made as to the characteristics of those served by the Division. To correct this imbalance, a more restrictive standard of "so defective as to seriously limit..." was quickly adopted and implemented

4B. Empowerment by advising:

Between the time that Dr. Anderson had offered the position to Dr. Nyman and the actual appointment, the Unicameral considered the creation of an advisory committee for DRSVI in LB901. A copy of this bill was sent to Nyman, but it lacked certain features that such a committee should have. In response to his request, Dr. Anderson succeeded in having the bill withdrawn in order to have it improved. In the fall of 1974, Nyman met with representatives of the four major organizations of the blind: Richard Parker, NFB of Nebraska; Jerry Eckery, Nebraska Association of Workers for the Blind, (ACB affiliate at that time), Von Peterson, Omaha Association of the Blind; and Veronica Heimann of the Lincoln Braille Club. Together we developed an alternative version of an advisory committee. It became LB.88 in the legislative session of 1975 and contained, among other provisions, the requirement that two thirds of the nine member committee must be blind or visually impaired, that the Committee annually submit a report to the Director of the Department of Public Institutions on their findings and actions and that the Governor, in making appointments to the Committee, "...shall also seek to give fair representation to organizations of blind and visually impaired persons." This bill, LB88, was signed by Governor Exon on February 10, 1975, and he duly made appointments in compliance with the law. The two governors after Exon however both asserted and practice gubernatorial prerogative in making appointments, despite the law's requirements. By 1983, the paradoxical result was that only one of the nine members of the Committee had been designated by an organization of the blind; the Business Enterprise Vendors of Nebraska and that organization no longer existed. By this time, three members of the Committee were associated with the Committee of the Partially Sighted whose main demands were that the Services for the Visually Impaired return to the practice of serving persons who experienced negligible impairments. These changes significantly diminished the effectiveness of the Committee as a vehicle for articulating the views and interests of the blind and holding DRSVI accountable. The extent to which the Advisory Committee had become dysfunctional can be judged by the fact that one of the

members of the Committee who was one of the three individuals associated with the Committee of the Partially Sighted testified before a committee of the Unicameral in support of a bill to transfer DRSVI to the Division of Rehabilitation Services. This individual claimed that he represented the position of the American Foundation for the Blind. AFB declined to disavow his testimony. The bill was defeated, but at least one additional attempt was made on behalf of the general rehabilitation agency during the 1980's to absorb DRSVI.

The renewal of the Federal Rehabilitation Act of 1991 mandated that States adopt some form of consultation with recipients of service, though not specifically requiring the designation of representatives by organizations. There were so many classes of representation mandated that those committees no longer served as vehicles for the expression of views that were specific to the blind.

Another Federal mandate that aimed to empower a segment of the blind population was contained in the 1974 amendments to the Randolph-Sheppard Act. The amendment required the creation of a State Committee of Blind Vendors, elected by all vendors in the State vending program. The State Committee was to "actively participate" in the management of the program. In the course of negotiating a set of State rules, the vendors insisted that "active participation" meant a requirement of joint decision with the State agency. This interpretation was rejected by Nyman and a ruling to that effect was rendered by the Rehabilitation Services Administration. A concession was made to the vendors that, when a vacancy occurred in a vending unit, the State agency would accept the recommendation of the State Committee of Blind Vendors to place the one from among the vendors who had requested transfer. The Rehabilitation Services Administration later disallowed this provision, asserting that final responsibility had to rest with the State Licensing Agency. Nevertheless, this elected Committee managed to exercise a representative function that exceeds the diminished effectiveness of the original RSVI advisory committee. Another provision of the 1974 amendments of the Randolph-Sheppard Act was to strengthen the priority of the State Licensing Agency to establish vending facilities on Federal property. This applied to postal facilities, but the officials in Omaha believed they could support the postal union who derive some funding from commercial interests who operated vending machines on post office property. After endless delays, we contacted Senator Zorinski, who, in turn wrote a letter to Postmaster General Bolger; shortly thereafter, officials in the post offices in Omaha and Lincoln granted licenses to establish three units in Omaha and one in Lincoln. Further expansion was achieved under the provisions of the Highway Transportation Safety Act that allowed State Licensing Agencies to establish vending operations along interstate roads, particularly in rest areas. It was subject to the approval of the State Department of Highways and, in Nebraska, they proved themselves to be as efficient as the Post Office in delaying the implementation of this provision. This roadblock was breached when Alan Abbott became director of the Highway Department and DRSVI began to establish vending facilities in rest areas along Interstate 80. This further added to the empowerment of blind vendors.

An interesting experiment in advisory committees occurred with the establishment of a radio reading service for the blind. The Omaha Public Schools, radio broadcasting unit, obtained a grant from the Corporation for Public Broadcasting in 1974 that included some funding for the project and a requirement that they establish a consumer advisory committee. It appears that the expectation of the broadcast staff was that such a committee would merely express preferences for type of materials to be read over the broadcast system. Since those selected for the advisory committee included Richard Parker, Mary Holland and Dr. Nyman, the advisory conception quickly changed to a management role, making decisions about the employment of a program director and other control functions. Since DRSVI provided some financial support, this control was effective and Parker was appointed director. When Parker died several years later, we selected his successor and, when it became necessary, also terminated him. After a couple decades, a more comprehensive system for accessing the content of newspapers and magazines, the NFB Newslines, supported, in part, by State funding was established. Radio Talking Book Service still exists, but has a diminished significance as a method for the blind to access information

4C.

Empowerment by peer support:

Another effort to reach out to embrace, and be embraced by, the blind population that we served was the creation of peer support organizations. As a result of research conducted by Dr. Van Zandt for her Master's degree, we had access to a survey of the needs of older persons who were blind. Although we had not completely been ignoring their interests and needs, at that time we did not adequately serve that segment of the population. As a result of the work done by Dr. Van Zandt, we decided to participate

in the creation of a peer support system of groups of older blind persons that came to be called VIPS, Visually Impaired Peer Support. Eventually, more than two dozen groups were established across the State. Staff members attended the periodic meetings of the peer support groups, providing what might be termed "group counseling" and encouraging the participants to adopt and practice a positive attitude toward blindness. Limited training was offered in relevant skills. Significant numbers of members from the local groups attended periodic statewide conferences on worthwhile topics. We were able, in the early phases of VIPS, to identify some very capable individuals for leadership roles. Unfortunately, those individuals declined to assume leadership roles. Over a period of time, unfortunately, the leadership fell into hands which could not be characterized as highly responsible; more interested in the peer support of their own needs for support, than for the peer support system. The agency continued to cooperate in providing financial and other support over a period of years, but ongoing participation by DRSVI staff with these groups fell victim to limitations in resources. The organization has languished over time, though the framework is still there for it to be a meaningful service.

Center alumnae: In 2004, mostly on the initiative of students and staff in the Center, an effort was made to create an alumni association of persons who had been through the Center program; partly as a support for the Center, partly as a support to one another and as support for the agency when it came into contact with the political system. My remarks to the organizing meeting of the Association on October 10, 2004, sums up what I took to be the chief value that such a group could possess. I said, in part: "...We are most proud of those students who entered the program, persisted through months of rigorous endeavor and finally emerge from the Center...It might be an exaggeration to say that the Orientation Center is the engine that drives the Commission. It would not, however, be an exaggeration to say that it is the gyroscope that keeps the agency on course. And, what is that course? Its course is to instill in the hearts and minds of all who attend the training program an unshakable belief that blindness presents no insurmountable barriers to living a full and productive life. This belief is the optimal outcome of the training, both for those students who enter and the new staff who receive their initial training in the Center. Those skills that we call "alternative techniques" can be, and are, taught and learned. They are useful in overcoming the technical limitations of mobility, literacy and self-management. But, the best tools won't keep you on course if you don't have a course to follow. I think it was Yogi Berra who once observed: "If you don't know where you're going, you probably won't get there." Some other wise, but more pessimistic philosopher once observed: "There is no 'there' there." In some ways, that observation is correct: there is no single 'there' there. One of the singular virtues of the philosophy of blindness that drives the Center program is that blindness does not restrict one to a predetermined course of a confined and stereotyped life. ... "Taking charge" and making "choices" can, and must, determine the course of each one's life: not those social stereotypes that presuppose that the choice is already made. It may be easier, less stressful, at times to follow the beaten path, but, as that same wise philosopher, Yogi Berra, also put it: "When you come to a fork in the road: take it." I would say that the decision to enter the Orientation Center marks a recognition that you have come to a fork in the road. That decision takes courage as well as understanding. Those of you who are alumnae of the Orientation Center will, I suspect, know that the understanding was sound and that the courage has been rewarded. You can congratulate yourselves and one another on your wisdom. When the road you've chosen occasionally gets rough, you can turn to one another for support and encouragement. An alumnae association should serve you well in the good times and those that aren't so good. I commend you for deciding to form an association. But, a mere paper organization will do very little good unless it becomes an active enterprise. You have shared an experience in training and share an outlook on your life as a blind person. However, shared experience and a shared outlook don't mean that all of you have made the same choices for your life. Freeing yourself from the shackles of a "one size fits all" conception of blindness frees you to make the choices that define your individuality. Every day in a myriad ways the world will invite you to fit into a preconceived straightjacket of limited possibilities. Sometimes, it is easier to slide into the mold that has been offered, especially if it appears to flow from kindness. When your own strength and the strength of your convictions waver, your shared experiences with others who understand the temptations can lend the support that will get you through the times of doubt. Shoulders, after all, were made for crying on and leaning on as well as holding up the head. I'm not here to recommend too much crying, but some willing shoulders to lean on and sustain your resolve in the face of the world's kindly concern and sometime indifference adds the strength of association to whatever personal strength we possess."

4D. Empowerment in transition:

Long before Federal rehabilitation and education officials recognized the importance of what has been called, "transition" services, DRSVI actively reached out to families with blind children and responded to Requests for help from parents and educators regardless of the age of the children. It was an effort to provide skill training and counseling to families and the children. Over the years, as Nancy Flearl pointed out, projects were initiated in the form of camping experiences, training, counseling and, in the case of the WAGES (Work and Gain Experience in Summer—employment for four or five weeks). This project afforded useful real life work experience and a few dollars of pocket money for the participants. Project Independence(PI) and WinnerFest are opportunities for youngsters to share a time away from home in the company of peers and to receive useful skill development and enhancement of their personal understanding of blindness. At a time when professionals maintained that young children were not able to acquire the attitudes and skills of independent travel, DRSVI innovated methods of teaching travel to them at a very early age. To spread the understanding, A film, titled, "Kids with Canes" was produced and received wide circulation around the United States and elsewhere. It was hoped, and believed, that the favorable reception of this film and the message it proclaimed would widen the scope of general social appreciation of the possibilities for independence of blind youngsters. While some educators and schools appreciated the involvement of DRSVI, some opposition and criticism came from public schools who believed that the education of children was exclusively their domain. The empowerment of children and their families can be enhanced more by cooperation than opposition.

4C. Empowerment by public education:

Over the years, a number of well-conceived and well-received public education methods were innovated by DRSVI. This included a number of films, such as Kids with Canes; We all got to walk that same old road; and The Encounter. This animated cartoon was based on an earlier cartoon-formatted pamphlet by public information officer Carl Olson. The film was recognized by the President Committee on the Employment of People with Disabilities and awarded a plaque as the best media production on disabilities in 1991. It is not easy to estimate the impact of these efforts at public education, but each product expresses a positive view of blindness and it is hoped they will counter some of the prevailing attitudes.

4D. Empowerment by publication:

In 1975, DRSVI employed a public information officer, Carl Olson as philosopher in residence. When he left in 1984, Richard Mettler replaced him. Their ability to articulate the agency's philosophy and publish articles in leading journals afforded an opportunity to educate the established professionals in the field. In articles in the Journal of Visual Impairment and Blindness, Olson and Mettler challenged the established practice of the orientation and mobility profession of refusing to certify blind persons as travel instructors. The ensuing debate with academic defenders of the vision requirement for instructors attracted the attention of Allan Dodds of Nottingham University in England. Dodds persuaded the Royal National Institute for the Blind to sponsor his visit to Nebraska to study our practice and make recommendations on the use of blind persons as travel instructors. If you look at the history of blind travel instructors at RSVI, one thing that jumps out at you is the motivation for hiring blind persons for that task and the development of the practice of instruction. The first three, James Walker, Fred Schroeder and Christine Boone, were competent blind travelers and committed Federationists. It goes without saying that they believed in the possibility of training blind persons to travel independently. The refusal of the O&M certification body to grant certification was based exclusively on the visual factor, since they claimed that a blind individuals could not monitor and correct performance and assure the safety of the students. Our response to that was to develop alternative nonvisual monitoring techniques. In other words, we bought into the paradigm that "extrinsic" feedback, based on the expertise and vision of the instructor was the core of effective teaching. What Dodds noticed when Chris Boone took him out on a travel lesson was that, in fact, she did very little instruction based on her monitoring, but rather forced him to draw on feedback from his own use of the cane, along with kinesthetic, tactile and ambient sound cues. She then encouraged him to think about and utilize this self-generated information to solve problems. Dodds, a certified orientation and mobility specialist and a trained psychology researcher, persuaded us to recognize that we had shifted away from the extrinsic monitoring model to an intrinsic/problem solving model of learning. It had been focused more on the capabilities of the blind instructor to do the same things non-visually as the O&M people said could only be done with vision.

This recognition freed us to formulate what Dodds christened "structured discovery learning". It seems our practice of teaching was better than our theory of learning.

There is a body of experimental evidence (cited by Mettler) that confirms the claim that the discovery learning model has advantages over the "guided" model in terms of long term retention and transferability to new situations.

We may have thought at one time that we had won the battle over blind persons instructing blind travelers with the development of alternative techniques for monitoring (just like alternative techniques in other areas), but with the full recognition that the extrinsic model, grounded in the instructor's visual acuity and expert knowledge, was simply wrong, we made their approach irrelevant. The alternative techniques for monitoring are useful in the instructional process, but not like the prominence they have in the traditional visual model.

Once an individual realizes that he/she can generate the feedback and can utilize it to make decisions and solve problems, it can instill the confidence to pursue an independent life. The insights gained from the Nebraska experience has been articulated in a book by Richard Mettler, (Cognitive Learning Theory and Cane Travel Instruction" which has been widely circulated nationally and internationally. It is now virtually the official doctrine of a program for training orientation and mobility specialists at Louisiana Technical College.

5. 1996-2000. A step backward:

In the two decades from 1974 to 1996, DRSVI enjoyed the benefit of a benign neglect as a division within the Department of Public Institutions. Except for a stretch from 1983 to 1986, the Division was free to implement the programmatic and philosophical changes that had been contemplated in the 1973 recommendations of the Governor's Advisory Committee on Public Institutions. For that three years, a more top-down centralized philosophy of management prevailed at the Department level. Despite the tensions that resulted, the Division continued to progress in the implementation of reforms and, after 1984 with the hiring of a technology specialist, Nebraska soon became a national leader in innovations in methods of accessing computer technology for blind persons in employment, education and internal administration.

From time to time in the various States, political and academic persons press for amalgamating public programs that are designed to deliver human services. It is driven by the belief that larger bureaucracies can operate more efficiently than those that target specific populations. Centralizing generic functions, such as personnel, planning, fiscal management and service delivery are thought to create efficiencies, quality and quantity of service and, above all, savings of taxpayers' money. The Nebraska Unicameral succumbed to this tempting error in the legislative session of 1996 by creating the Department of Health and Human Services. The Department officially commenced its existence on January 1, 1997. The Department of Public Institutions, with its heterogeneous components, was abolished and scattered throughout the new department. Division of Rehabilitation Services for the Visually Impaired was placed in a lower administrative location within the Department. Most potentially damaging of the generic services that DHHS attempted to impose was the function of personnel selection. Control over the recruitment and training of staff had come to be a key factor in defining the uniqueness of DRSVI. Resistance to the attempt to centralize the personnel function necessarily generated tensions between the leadership of DHHS and DRSVI management.

In response to these changes, the leadership and members of the National Federation of the Blind initiated a strong political campaign to remove RSVI from the bureaucracy and have a separate commission created, under the control of those who were served. This was hardly a new concept as the first legislative attempt to create an independent commission for the blind had been made in 1939. There appeared to be success in 1998 when the Unicameral passed a bill to create a Commission, but Governor Nelson declined to sign it. With the election of Michael Johanns in 1998, the 2000 session of the Unicameral passed, and the Governor signed, the measure and the Commission came into existence.

6. 2000 and beyond:

And the rest, as the saying goes, is history. That history, however, belongs to a new generation: the members of the Commission board, new leadership and staff of the Commission, the blind of Nebraska and the organizations of the blind in the State. If Benjamin Franklin were with us today, he might say: "You have a Commission now and you must keep it!"