

**From:** [Sunset Advisory Commission](#)  
**To:** [Cecelia Hartley](#)  
**Subject:** FW: Form submission from: Public Input Form for Agencies Under Review (Public/After Publication)  
**Date:** Monday, June 30, 2014 8:16:36 AM

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-----Original Message-----

From: sundrupal@capitol.local [<mailto:sundrupal@capitol.local>]  
Sent: Saturday, June 28, 2014 10:48 AM  
To: Sunset Advisory Commission  
Subject: Form submission from: Public Input Form for Agencies Under Review (Public/After Publication)

Submitted on Saturday, June 28, 2014 - 10:47

Agency: DEPARTMENT ASSISTIVE AND REHABILITATIVE SERVICES DARS

First Name: Chris

Last Name: Prentice

Title: Individual

Organization you are affiliated with: Unaffiliated

Email:

City: Del Valle

State: Texas

Your Comments About the Staff Report, Including Recommendations Supported or Opposed:

My name is Chris D. Prentice and I am testifying in opposition to Sunset Staff's recommendations under issues 1 and 3 for DARS. The recommendation to merge the Division for Blind Services (DBS) and the Division for Rehabilitation Services (DRS) are not in the best interest of Texans who are blind or visually impaired either now or at any time in the future.

Additionally, the recommendation to move direct care independent living services from DARS to the 27 independent living centers (CIL's) across Texas with DARS oversight is also a very poor and dangerous idea. I will expound on each of these.

Background. The vast majority of funding for vocational rehabilitation (VR) services in Texas and every other state comes from federal dollars through the Rehabilitation Services Administration (RSA) which is within the U.S. Department of Education. The money that comes into Texas is sent to two different designated state units (DSU's), the DBS DSU and the DRS DSU.

Approximately 80% of the money goes to DRS and 20% goes to DBS. If DBS and DRS are fully merged, then there will be only one DSU. Such a move will very likely bring about a reduction in total funding for the two VR programs. If there are less funds, then fewer Texans will be served and/or the quality of services will be diminished. The only way this would not occur would be if the state funds make up the difference caused by the loss of federal funds.

You heard the valuable testimony of Bill Agnell. His 40 years of tireless service to DBS and the legacy agency, Texas Commission for the Blind was very instructive and very much on point. With separate services under separate DSU's, Texas provides more services and more successful outcomes than the more populated state of California with a single DSU. The combined model may work in very small and much less populous states; however, this is Texas where we are growing every year. Texas needs more services to serve more Texans not less services in a combined DSU.

Expertise. For an agency to provide VR services to persons who are blind or visually impaired, it takes special training and expertise. DBS utilizes VR Counselors, Rehabilitation Teachers, Orientation and Mobility Instructors and Adaptive Technology Trainers to provide these services. Each of these professionals must obtain special training to be competent to provide the training for people who are blind or visually impaired. For example, you can not just wake up tomorrow and decide to be an Orientation and Mobility Instructor. This career takes a full education process. This degree program is only offered at two schools in Texas, Texas Tech and Stephen F. Austin State. Not just anyone can work as a professional in the field of VR and adequately serve people who are blind or visually impaired.

Why is there a need for expertise? We all live in a sighted world. Everyone on the Sunset Commission is fully sighted. All the Sunset Staff is fully sighted, as far as I know. Most of the world is sighted. Sighted people learn approximately 85% of all their knowledge visually, either in whole or in part, according to many studies. If you are born blind or with a visual impairment or lose your vision at some point in your life, you are a blind person in a sighted world. You are not in a position to learn things visually; so you must learn everything or most things in a different way.

DBS addresses this at three different life points: the Children's program, Blind Children's Discovery Program; the transition and VR program, beginning as early as age 10; and the Older Blind Program which is independent living services for older blind. Young children and their parents must learn to live with their blindness and how to learn life lessons in a manner that works for them. For those in transition and VR, they must learn or relearn those skills, including but not limited to travel, technology, and daily living, that will give them a fighting chance to become a taxpayer instead of a tax burden. Nationwide, unemployment among the blind population is around 70%.

Unfortunately, even 24 years after the passage of the Americans with Disabilities Act of 1990, these overall numbers have not improved much at all. There are several possible reasons for that, including the fact that social security disability is extremely easy for most people who are blind to secure. The other main reason for such a high unemployment number is the fact that the sighted world has a very low expectation for the value of an employee who is blind or visually impaired. The VR program also includes the Blind Enterprises of Texas (BET) program. This program is federally funded under the Randolph Shepard Act. BET provides training and support to Texans who are blind or visually impaired so he or she can operate his or her own business in the BET program. These businesses include cafeterias and snack bars and vending operations in state and federal buildings across the state. This program takes special training as well.

The independent living program is the last step of services currently being provided by DBS. This program primarily serves older people who have lost all or part of their vision later in life. Age-related blindness is the fastest growing part of the blind population in the country. You heard the statistics during live testimony earlier in the week.

Independent Living Services for Older Blind Texans. Sunset Staff has recommended moving this program from DBS and DRS to the CIL's across Texas.

This will not work, especially in the short term. As you may or may not have heard, most CIL's are at least peer-operated by persons with disabilities. Very few of the 27 CIL's in Texas have either the personnel or expertise to provide in-home independent living services to older people who have lost their functional vision who will not leave the home. There are many areas in Texas where a CIL is nowhere close and there no other like services available from contractors. These older people who have lost their most precious key to independence, their vision, need to be handled with extreme care and professionalism. The CIL's are telling your Staff and you that they can be equipped to handle this program. Would you risk the quality of care for your precious grandmother, your grandfather or even your own parents? Many surveys over the years have revealed that a majority of people believe their greatest fear would be to lose their vision. I have personally spoken to many of these very people who have become almost paralyzed with fear of the future without their sight and all that goes with it. If you lose your vision as an older adult, you must relearn the most basic of daily living skills, even how to get around in your own home without fear. Life goes on without vision, but it changes because now that person is operating in the sighted world as an outsider.

What can be merged? As you consider the recommendations under issue 1, what should really be merged? I would agree with Commissioner Durden that co-location of DBS and DRS offices is a great idea. That has already occurred in several locations across the state. It is also a very good idea to line up the regions of DBS and DRS with the 11 regions of HHSC.

Currently, DBS has 10 regions and DRS has 5 regions. The management structure of DBS and DRS could also be made to mirror one another. Most of the administrative functions are already being merged or have completed a merger, such as contracting and purchasing. Both DBS and DRS should maintain their DSU status with an Assistant Commissioner over each program and ultimate supervision by the Commissioner.

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and some other impairment do not get all their services from DBS. Although an isolated incident may have occurred in a particular office, this is not the general rule. Close to 50% of those receiving services from DBS have other disabilities in addition to the visual impairment. Their services are all being served by DARS, either all at DBS or in a cooperative effort between DBS and DRS. Any isolated incident can only be adequately explained by a failure of a DBS VR Counselor to follow DARS policies and procedures. That is a training and supervision issue that can be remedied with further training or changes in personnel. The VR Counselors in both DBS and DRS could always use additional training. DARS is continually looking for more and better opportunities to improve the quality of their staff. Some of the other Sunset recommendations for tracking measures of work quality will have a positive impact on DARS consumers.

Who am I to bring this testimony to you? I am a licensed attorney in Texas since 1987. Although I am coming to you in my individual capacity as a citizen of Texas, I presently serve as an Assistant General Counsel for DARS.

I have held this position for just under one year. Prior to my current employment, I served as a Civil Enforcement Prosecutor for the Texas Department of Licensing and Regulation. Before coming to Austin in late 2009 for that job, I was in private practice in my own firm in Plainview for almost 16 years. During that time I served as the elected Hale County Attorney for over six years. I also served as the part-time Municipal Court Judge of the City of Hale Center for almost three and one-half years. Prior to private practice, I was the Regional Attorney and Regional Manager for the Lubbock Office of Advocacy, Inc., now known as Disability Rights Texas. My first position out of law school was serving as the Assistant City Attorney, Municipal Court Prosecutor for the City of Lubbock.

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18 months, likely due to a virus that damaged my optic nerves. My vision has remained stable over the years. I grew up in rural Northwest Texas, primarily in the Olton area. My parents had no prior experience with any significant disability, especially blindness. I began receiving services from the State Commission for the Blind, (Commission), now DBS, at around age 10. In seventh grade a rehabilitation teacher from the Commission came out weekly or bi-weekly to first teach me Braille which I was not terribly inclined to learn. Then she taught me to type, a skill that I use every day of my life even as I type this testimony. All the while I am attending public school in a fully included classroom. I did not go to the resource room or receive other special education services; however, my teachers, my classmates and my parents did read things for me to help me along the way. I played football in junior high school and marched in the band in high school.

I did attend my sophomore and junior years of high school at the Texas school for the Blind, now the Texas School for the Blind and Visually Impaired, but returned to Olton for my senior year. I graduated fourth in my class.

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My case with DBS has been opened and closed a few more times since it was successfully closed in early 1988. It was most recently opened in 2009 when I took my position with TDLR to purchase me a new desktop magnifier and updated scanning software. I have received services from DBS and its predecessor agency for over 40 years. DBS would likely say that I am one of their many success stories. I do owe a great deal to them. That was one of the motivating factors that led me to apply for the position in the DARS Office of General Counsel.

Now, as a person on the inside of DARS, I can tell you that DARS is not a perfect agency. No place I have ever worked is perfect either. DARS can be more efficient, provide better training to its employees and other things. The same exact things can be said for every agency in the state. The team that Commissioner Durden has assembled since her appointment as Commissioner is working very well together as a complete team.

The continual reference to "silos" is really not true. Please remember what Representative Dutton said regarding consolidation. The Legislature decided that this was the way to go and passed 2292 in 2003 without taking a long and careful look at this idea in advance. Now DARS is being chastised and attacked for not being totally consolidated some 11 years later. The applicable chapters in the Human Resources Code and in other statutes have not been changed at all to reflect a consolidated agency. I certainly agree that government in its provision of services should be efficient to the extent that it does not adversely impact the consumers who should benefit.

My activities and involvements. I was appointed by Governor Clements to serve a 6-year term on the Governing Board of the Texas School for the Blind and Visually Impaired from 1989 to 1995. I have been a member of the Woodmen of the World Life Insurance Society for 50 years. I served as Lodge President of Lodge 1036 in Hale Center for several years. I have served on numerous committees at my churches over the years. I currently serve as a member of the Trustees Committee at Austin Baptist Church. I am currently a member and serve as Vice Chair of the Capitol Metro Access Advisory Committee. I am the President of the Austin Council of the Blind. I am a Past President and current Director on the Board of the American Council of the Blind of Texas. I am also President of the American Association of Visually Impaired Attorneys, an affiliate of the American Council of the Blind. I also worked part-time at three other radio stations during and after law school. During the summer before my last semester of law school, I served as a summer missionary in Calgary, Alberta in Canada.

Conclusion. I have many people to be thankful to for my accomplishments, including the Lord, my parents and sisters, my teachers and classmates, and the fine people from DBS and its predecessor agency. I have lived over 50 years in a sighted world as a person with low vision. According to the law, I am legally blind. I take three Capitol Metro buses to and from work most days. I use a cane, especially in unfamiliar places and always crossing the street. I use very powerful magnifiers and magnifying software in my computer so I can enlarge things sufficiently enough to see them. I rely very heavily on my screen-reading software on my computer. The software reads much faster and better than my eyes. My cell phone talks to me and I watch audio-described movies at the theater and at home whenever possible. I have succeeded in the sighted world, but there are still challenges on a daily basis. These challenges are expected since they primarily come from sighted people who just do not understand. I will close with the following example.

I watched the Sunset Hearings on June 24 and 25, 2014. On June 25, the public testimony was received from the DARS stakeholders and others. Prior to the first witness, the Chair gave the rules for testimony: you get three minutes to testify; the green light means start; the yellow light means you have one minute remaining; and the red light means time is up and you must complete your remarks immediately. Even though the Commission knew that DARS serves blind and visually impaired citizens and there were several people in the meeting room who were using white canes or dog guides, and many of these same blind citizens brought their canes and dog guides to the

tables when they came to testify, not one word was said by the Chair to let them know that there would also be tones to signify the time constraints. I do not blame the Chair for this oversight. It only serves to prove my point that the blind and visually impaired citizens of Texas live in a sighted Texas.

If you have not been directly exposed to a person with blindness or a substantial visual impairment, you have no basis or means to understand.

That is exactly why separate services for DBS must be maintained in a separate DSU.

Any Alternative or New Recommendations on This Agency: Please see the response to the prior question for alternative recommendations.

My Comment Will Be Made Public: I agree

**From:** [Sunset Advisory Commission](#)  
**To:** [Cecelia Hartley](#)  
**Subject:** FW: Form submission from: Public Input Form for Agencies Under Review (Public/After Publication)  
**Date:** Monday, June 30, 2014 4:40:29 PM

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-----Original Message-----

From: sundrupal@capitol.local [<mailto:sundrupal@capitol.local>]  
Sent: Monday, June 30, 2014 2:14 PM  
To: Sunset Advisory Commission  
Subject: Form submission from: Public Input Form for Agencies Under Review (Public/After Publication)

Submitted on Monday, June 30, 2014 - 14:13

Agency: DEPARTMENT ASSISTIVE AND REHABILITATIVE SERVICES DARS

First Name: Chris

Last Name: Prentice

Title: Individual

Organization you are affiliated with:

Email:

City: Del Valle

State: Texas

Your Comments About the Staff Report, Including Recommendations Supported or  
Opposed:

Sunset Advisory Commission  
Austin, Texas  
June 30, 2014

RE: Department of Assistive and Rehabilitative Services Sunset  
Recommendations

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Approximately 80% of the money goes to DRS and 20% goes to DBS. If DBS and DRS are fully merged, then there will be only one DSU. Such a move will very likely bring about a reduction in total funding for the two VR programs. If there are less funds, then fewer Texans will be served and/or the quality of services will be diminished. The only way this would not occur would be if the state funds make up the difference caused by the loss of federal funds.

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DBS addresses this at three different life points: the Children's program, Blind Children's Discovery Program; the transition and VR program, beginning as early as age 10; and the Older Blind Program which is independent living services for older blind. Young children and their parents must learn to live with their blindness and how to learn life lessons in a manner that works for them. For those in transition and VR, they must learn or relearn those skills, including but not limited to travel, technology, and daily living, that will give them a fighting chance to become a taxpayer instead of a tax burden. Nationwide, unemployment among the blind population is around 70%.

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Independent Living Services for Older Blind Texans. Sunset Staff has recommended moving this program from DBS and DRS to the CIL's across Texas.

This will not work, especially in the short term. As you may or may not have heard, most CIL's are at least peer-operated by persons with disabilities. Very few of the 27 CIL's in Texas have either the personnel or expertise to provide in-home independent living services to older people who have lost their functional vision who will not leave the home. There are many areas in Texas where a CIL is nowhere close and there no other like services available from contractors. These older people who have lost their most precious key to independence, their vision, need to be handled with extreme care and professionalism. The CIL's are telling your Staff and you that they can be equipped to handle this program. Would you risk the quality of care for your precious grandmother, your grandfather or even your own parents? Many surveys over the years have revealed that a majority of people believe their greatest fear would be to lose their vision. I have personally spoken to many of these very people who have become almost paralyzed with fear of the future without their sight and all that goes with it. If you lose your vision as an older adult, you must relearn the most basic of daily living skills, even how to get around in your own home without fear. Life goes on without vision, but it changes because now that person is operating in the sighted world as an outsider.

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Clearing up of misconceptions. Sunset Staff has told you in their report that people who have a visual impairment and some other impairment do not get all their services from DBS. Although an isolated incident may have occurred in a particular office, this is not the general rule. Close to 50% of those receiving services from DBS have other disabilities in addition to the visual impairment. Their services are all being served by DARS, either all at DBS or in a cooperative effort between DBS and DRS. Any isolated incident can only be adequately explained by a failure of a DBS VR Counselor to follow DARS policies and procedures. That is a training and supervision issue that can be remedied with further training or changes in personnel. The VR Counselors in both DBS and DRS could always use additional training. DARS is continually looking for more and better opportunities to improve the quality of their staff. Some of the other Sunset recommendations for tracking measures of work quality will have a positive impact on DARS consumers.

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Conclusion. I have many people to be thankful to for my accomplishments, including the Lord, my parents and sisters, my teachers and classmates, and the fine people from DBS and its predecessor agency. I have lived over 50 years in a sighted world as a person with low vision. According to the law, I am legally blind. I take three Capitol Metro buses to and from work most days. I use a cane, especially in unfamiliar places and always crossing the street. I use very powerful magnifiers and magnifying software in my computer so I can enlarge things sufficiently enough to see them. I rely very heavily on my screen-reading software on my computer. The software reads much faster and better than my eyes. My cell phone talks to me and I watch audio-described movies at the theater and at home whenever possible. I have succeeded in the sighted world, but there are still challenges on a daily basis. These challenges are expected since they primarily come from sighted people who just do not understand. I will close with the following example.

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DARS stakeholders and others. Prior to the first witness, the Chair gave the rules for testimony: you get three minutes to testify; the green light means start; the yellow light means you have one minute remaining; and the red light means time is up and you must complete your remarks immediately. Even though the Commission knew that DARS serves blind and visually impaired citizens and there were several people in the meeting room who were using white canes or dog guides, and many of these same blind citizens brought their canes and dog guides to the tables when they came to testify, not one word was said by the Chair to let them know that there would also be tones to signify the time constraints. I do not blame the Chair for this oversight. It only serves to prove my point that the blind and visually impaired citizens of Texas live in a sighted Texas.

If you have not been directly exposed to a person with blindness or a substantial visual impairment, you have no basis or means to understand.

That is exactly why separate services for DBS must be maintained in a separate DSU.

Any Alternative or New Recommendations on This Agency: Please do not be so quick to combine services when there is not a well-defined path laid out for such consolidation. The alternative recommendation would be to combine office spaces pursuant to Chapter 132 of the Human Resources Code.

My Comment Will Be Made Public: I agree

June 30, 2014

Sunset Advisory Commission  
Austin, Texas

RE: Department of Assistive and Rehabilitative Services

My name is Chris D. Prentice and I am testifying in opposition to Sunset Staff's recommendations under issues 1 and 3 for DARS. The recommendation to merge the Division for Blind Services (DBS) and the Division for Rehabilitation Services (DRS) are not in the best interest of Texans who are blind or visually impaired either now or at any time in the future. Additionally, the recommendation to move direct care independent living services from DARS to the 27 independent living centers (CIL's) across Texas with DARS oversight is also a very poor and dangerous idea. I will expound on each of these.

**Background.** The vast majority of funding for vocational rehabilitation (VR) services in Texas and every other state comes from federal dollars through the Rehabilitation Services Administration (RSA) which is within the U.S. Department of Education. The money that comes into Texas is sent to two different designated state units (DSU's), the DBS DSU and the DRS DSU. Approximately 80% of the money goes to DRS and 20% goes to DBS. If DBS and DRS are fully merged, then there will be only one DSU. Such a move will very likely bring about a reduction in total funding for the two VR programs. If there are less funds, then fewer Texans will be served and/or the quality of services will be diminished. The only way this would not occur would be if the state funds make up the difference caused by the loss of federal funds. You heard the valuable testimony of Bill Agnell. His 40 years of tireless service to DBS and the legacy agency, Texas Commission for the Blind was very instructive and very much on point. With separate services under separate DSU's, Texas provides more services and more successful outcomes than the more populated state of California with a single DSU. The combined model may work in very small and much less populous states; however, this is Texas where we are growing every year. Texas needs more services to serve more Texans not less services in a combined DSU.

**Expertise.** For an agency to provide VR services to persons who are blind or visually impaired, it takes special training and expertise. DBS utilizes VR Counselors, Rehabilitation Teachers, Orientation and Mobility Instructors and Adaptive Technology Trainers to provide these services. Each of these professionals must obtain special training to be competent to provide the training for people who are blind or visually impaired. For example, you can not just wake up tomorrow and decide to be an Orientation and Mobility Instructor. This career takes a full education process. This degree program is only offered at two schools in Texas, Texas Tech and Stephen F. Austin State. Not just anyone can work as a professional in the field of VR and adequately serve people who are blind or visually impaired.

**Why is there a need for expertise?** We all live in a sighted world. Everyone on the Sunset Commission is fully sighted. All the Sunset Staff is fully sighted, as far as I know. Most of the world is sighted. Sighted people learn approximately 85% of all their knowledge visually, either in whole or in part, according to many studies. If you are born blind or with a visual impairment or lose your vision at some point in your life, you are a blind person in a sighted world. You are not in a position to learn things visually; so you must learn everything or most things in a different way. DBS addresses this at three different life points: the Children's program, Blind Children's Discovery Program; the transition and VR program, beginning as early as age 10; and the Older Blind Program which is independent living services for older blind. Young children and their parents must learn to live with their blindness and how to learn life lessons in a manner that works for them. For those in transition and VR, they must learn or relearn those skills, including but not limited to travel, technology, and daily living, that will give them a fighting chance to become a taxpayer instead of a tax burden. Nationwide, unemployment among the blind population is around 70%. Unfortunately, even 24 years after the passage of the Americans with Disabilities Act of 1990, these overall numbers have not improved much at all. There are several possible reasons for that, including the fact that social security disability is extremely easy for most people who are blind to secure. The other main reason for such a high unemployment number is the fact that the sighted world has a very low expectation for the value of an employee who is blind or visually impaired. The VR program also includes the Blind Enterprises of Texas (BET) program. This program is federally funded under the Randolph Shepard Act. BET provides training and support to Texans who are blind or visually impaired so he or she can operate his or her own business in the BET program. These businesses include cafeterias and snack bars and vending operations in state and federal buildings across the state. This program takes special training as well. The independent living program is the last step of services currently being provided by DBS. This program primarily serves older people who have lost all or part of their vision later in life. Age-related blindness is the fastest growing part of the blind population in the country. You heard the statistics during live testimony earlier in the week.

**Independent Living Services for Older Blind Texans.** Sunset Staff has recommended moving this program from DBS and DRS to the CIL's across Texas. This will not work, especially in the short term. As you may or may not have heard, most CIL's are at least peer-operated by persons with disabilities. Very few of the 27 CIL's in Texas have either the personnel or expertise to provide in-home independent living services to older people who have lost their functional vision who will not leave the home. There are many areas in Texas where a CIL is nowhere close and there no other like services available from contractors. These older people who have lost their most precious key to independence, their vision, need to be handled with extreme care and professionalism. The CIL's are telling your Staff and you that they can be equipped to handle this program. Would you risk the quality of care for your precious grandmother, your grandfather or even your own parents? Many surveys over the years have revealed that a majority of people believe their greatest fear would be to

lose their vision. I have personally spoken to many of these very people who have become almost paralyzed with fear of the future without their sight and all that goes with it. If you lose your vision as an older adult, you must relearn the most basic of daily living skills, even how to get around in your own home without fear. Life goes on without vision, but it changes because now that person is operating in the sighted world as an outsider.

**What can be merged?** As you consider the recommendations under issue 1, what should really be merged? I would agree with Commissioner Durden that co-location of DBS and DRS offices is a great idea. That has already occurred in several locations across the state. It is also a very good idea to line up the regions of DBS and DRS with the 11 regions of HHSC. Currently, DBS has 10 regions and DRS has 5 regions. The management structure of DBS and DRS could also be made to mirror one another. Most of the administrative functions are already being merged or have completed a merger, such as contracting and purchasing. Both DBS and DRS should maintain their DSU status with an Assistant Commissioner over each program and ultimate supervision by the Commissioner.

**Clearing up of misconceptions.** Sunset Staff has told you in their report that people who have a visual impairment and some other impairment do not get all their services from DBS. Although an isolated incident may have occurred in a particular office, this is not the general rule. Close to 50% of those receiving services from DBS have other disabilities in addition to the visual impairment. Their services are all being served by DARS, either all at DBS or in a cooperative effort between DBS and DRS. Any isolated incident can only be adequately explained by a failure of a DBS VR Counselor to follow DARS policies and procedures. That is a training and supervision issue that can be remedied with further training or changes in personnel. The VR Counselors in both DBS and DRS could always use additional training. DARS is continually looking for more and better opportunities to improve the quality of their staff. Some of the other Sunset recommendations for tracking measures of work quality will have a positive impact on DARS consumers.

**Who am I to bring this testimony to you?** I am a licensed attorney in Texas since 1987. Although I am coming to you in my individual capacity as a citizen of Texas, I presently serve as an Assistant General Counsel for DARS. I have held this position for just under one year. Prior to my current employment, I served as a Civil Enforcement Prosecutor for the Texas Department of Licensing and Regulation. Before coming to Austin in late 2009 for that job, I was in private practice in my own firm in Plainview for almost 16 years. During that time I served as the elected Hale County Attorney for over six years. I also served as the part-time Municipal Court Judge of the City of Hale Center for almost three and one-half years. Prior to private practice, I was the Regional Attorney and Regional Manager for the Lubbock Office of Advocacy, Inc., now known as Disability Rights Texas. My first position out of law school was serving as the Assistant City Attorney, Municipal Court Prosecutor for the City of Lubbock.

I am legally blind with usable low vision. My visual acuity is 20/800 in both eyes. As far as my family and I understand it, I lost my vision at age 18 months, likely due to a virus that damaged my optic nerves. My vision has remained stable over the years. I grew up in rural Northwest Texas, primarily in the Olton area. My parents had no prior experience with any significant disability, especially blindness. I began receiving services from the State Commission for the Blind, (Commission), now DBS, at around age 10. In seventh grade a rehabilitation teacher from the Commission came out weekly or bi-weekly to first teach me Braille which I was not terribly inclined to learn. Then she taught me to type, a skill that I use every day of my life even as I type this testimony. All the while I am attending public school in a fully included classroom. I did not go to the resource room or receive other special education services; however, my teachers, my classmates and my parents did read things for me to help me along the way. I played football in junior high school and marched in the band in high school. I did attend my sophomore and junior years of high school at the Texas school for the Blind, now the Texas School for the Blind and Visually Impaired, but returned to Olton for my senior year. I graduated fourth in my class.

Just a few days after graduating from high school, my Commission Counselor sent me to the College Preparation Program at the Commission's Criss Cole Rehabilitation Center (CCRC) in Austin. I attended this College Prep program for most of the summer and learned to better be prepared for my college and adult experience. I improved my cooking skills and my money management skills. I even worked in the wood-working shop and made a large bookcase that my sister still owns and uses today, some 35 years later. After completing this program at CCRC, I attended Texas Tech University where I continued to receive great services from the Commission. The Commission even had my VR Counselor's office in the Texas Tech main library, along with some soundproof study carrels with some available adaptive technology for our use.

During college I had two different jobs. My first job was as a camp counselor at the Texas Lions Camp for Crippled Children at Kerrville during the summer between my freshman and sophomore years. My other job began at the end of my sophomore year and ended with my reluctant resignation just before graduation. This position was as a radio announcer at KLLL radio in Lubbock. I graduated from the Texas Tech College of business Administration with a B.B.A. in Finance in May of 1983.

During my senior year of college, I applied to the Texas Tech School of Law. I did not take the LSAT because the Law School Admission Council would not provide the reasonable accommodations that would allow me to take the test. My undergraduate GPA was not fantastic either; however, the Tech law school admitted me as the first blind law student in their history. The Commission continued to help me throughout law school. I had a tuition waiver for both undergraduate as well as law school. The Commission also provided money on a monthly basis for readers that helped me through both undergraduate and law school.

I graduated from law school in December of 1986. Just a few weeks before the February 1987 Bar Examination, the Texas Board of Law Examiners sent me my accommodations letter. The Board agreed to grant me special accommodations to take the Bar Exam as follows:

1. One extra hour per half day for the two and one half day exam;
2. Utilize a certified court reporter to read the exam and transcribe my answers;
3. Sit for the exam in Austin at the Board's headquarters.

I just had a few short days to make travel arrangements to Austin, find a hotel and locate an available and willing court reporter. Thankfully, my VR Counselor really came through for me. The Commission made all my travel arrangements and paid for them. My VR Counselor located and paid for my court reporter and even provided some maintenance (expense money) to use for eating and the like. I passed the Bar Exam on the first try and was licensed in May of 1987.

During my last year of law school and the following year, my VR Counselor and the Commission's Employment Assistance Specialist worked with me to help me become employed, the whole objective to VR services. Finally, after numerous applications and several interviews, I received a tentative offer from the City of Lubbock in their Municipal Court as a Prosecutor. My Employment Assistance Specialist went to a follow-up meeting with the City and assured the City that the Commission would provide me with the technology that I needed to be successful at no charge to the City. The City was convinced enough to give me a two-week trial at the job with no pay. At the end of the two-week trial, I was offered the job where I successfully worked for almost four years before taking the position with Advocacy, Inc., as described above.

My case with DBS has been opened and closed a few more times since it was successfully closed in early 1988. It was most recently opened in 2009 when I took my position with TDLR to purchase me a new desktop magnifier and updated scanning software. I have received services from DBS and its predecessor agency for over 40 years. DBS would likely say that I am one of their many success stories. I do owe a great deal to them. That was one of the motivating factors that led me to apply for the position in the DARS Office of General Counsel.

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