

THE FRONT PAGE

Alan M. Cohen, M.D.

As the rest of the country eases into the new school year, our students have already been back in the classroom for almost a month, and many of our adult residents have been at their new vocational training program even longer. Florida in August and September alternates between bright sunshine and late afternoon thunderstorms, but we all keep reminding ourselves of the spectacular winter weather that looms just beyond Halloween.



NDA Administration Building and Charter School

With this issue, The Source officially changes its name to the NDA SignPost with a broadening of our content to include academically-oriented articles written by experts in the field of Deafness from around the world. Dr. William McCrone, an attorney, psychologist and member of NDA's Advisory Board, leads off with an informative article on the Americans with Disabilities Act, and the importance of all of us staying politically involved.

Also included in this issue is an extraordinary article detailing the effectiveness of a unique program for teaching toilet training to some of our more resistant autistic residents. Angela Saunders, the lead teacher for

students with special needs at The Charter School at NDA, describes the program that she and her staff developed to dramatically impact these fascinating kids.

As always, Your Kids and Mine addresses the questions of one of our readers. This month we hear from a family in New Mexico who wrote to me requesting information on stimulants after watching Tom Cruise denounce the whole field of child psychiatry. Though I tend to agree with Brooke Shields' recommendation that Mr. Cruise focus on saving the world from Martian invaders and leave medical science to the professionals, you might be surprised to hear what I actually agreed with him about.

Lastly, it is my sincere pleasure to announce that Jan Ellison has joined the NDA family as Chief Operating Officer. Ms. Ellison, formerly of Universal Health Systems, is a consummate professional with twenty years experience in healthcare management. I have had the pleasure of working with her several times over the course of my career, and I feel we were lucky to get her given the important role she played at one of the most prestigious healthcare providers in the country. Jan will report directly to me and will have broad administrative and contracting responsibilities as NDA prepares for its next

The Front Page, continued on page 3

**What's
Inside!**

Guest Signs
The ADA: The Fight
Isn't Over
Page 2 & 4

Your Kids & Mine
with Dr. Cohen
Page 3

Inside Story
Toilet Training
Autistic Students
Page 5

2006 Conference
Information
Page 6



Dr. William McCrone

The ADA: The Fight Isn't Over

William McCrone, Ed. D, J.D.

Fifteen years ago this summer, the U.S. Congress overwhelmingly passed the Americans with Disabilities Act [ADA] to assure qualified people with disabilities fair treatment in the private sector job market [Title I]. The ADA also provided for meaningful access to public

transportation as well as state and local government services [Title II], and meaningful access to privately owned public accommodations like hotels, restaurants, malls, and theaters [Title III]. I was working that year as a Legislative Fellow to the chief sponsor of the ADA in the U.S. Senate, Sen. Tom Harkin of Iowa—the only good signer in the U.S. Senate. His late brother Frank had been a Deaf postal worker. The ADA victory was stunning. Few laws are harder to pass in the Congress than civil rights laws.

But the “American Dream” is still elusive for many Deaf people and other individuals with disabilities. Several factors are sabotaging the Americans with Disabilities Act. The fight is not over. It's time to take action on these issues to assure that the Deaf children served by the National Deaf Academy as well as other Deaf children can achieve their potentials and benefit from ADA protections.

1. Support the Appointment of Federal Judges and Supreme Court Judges Who Will Enforce the ADA as Congress Wrote It. The retiring Supreme Court Justice Sandra Day O'Connor is a hero of mine on many levels, but she has been no fan of the ADA (Colker, 2005, p.7). Will the current President Bush nominate a replacement to the Supreme Court who will enforce the ADA as Congress wrote it? His father often cites the ADA as one of his biggest accomplishments as our forty-first president. People with disabilities have lost most ADA cases that have reached the federal appellate courts and U.S. Supreme Court. In the view of many, the Supreme Court has functioned as a kind of pro-business “super legislature” in ADA cases. They have narrowed and complicated the definitions of disabilities to be protected by the ADA. Federal judges have prevented many ADA

cases from even going to trial through “summary judgment,” pretrial judicial determinations that the plaintiff with a disability has no case. The federal courts have interpreted the constitutional scope of the ADA so narrowly that it is difficult for private individuals with disabilities to bring suits against states that violate the ADA unless the person with a disability can show a constitutional deprivation of due process.

2. Demand that Schools Serving Deaf Children Help Those Children Achieve Their Academic Potentials.

Because I worked for Senator Harkin during the ADA fight, Deaf adults sometimes approach me to say that the ADA is not helping them with jobs. But, as the conversation continues, I often find that the Deaf individuals who complain about the job protections of the ADA do not have “real” high school diplomas. They are people with average or above intelligence but they read at the second- or third-grade level. The job protections of the ADA only protect “qualified” people with disabilities. If a Deaf person applies for an accounting job, he or she must be a qualified accountant to benefit from ADA protections. How can capable Deaf children in failing school programs ever become “qualified” for good jobs and the benefits of ADA job protections? IDEA, the Individuals with Disabilities Education Act, has been a disaster for many Deaf children because it sets inadequate, minimal federal standards in special education that local schools use as if they were high standards. Thirty years after we passed the federal special education law, the U.S. Department of Education (2001) reported to Congress that only about 27% of all Deaf and Hard of Hearing students are leaving school with “real” high school diplomas. This kind of school failure rate will prevent Deaf children from benefiting from the ADA.

3. Pay Attention to Changes Happening in State Vocational Rehabilitation Agencies.

Vocational Rehabilitation (VR) has often been the second-best chance Deaf people have to become “qualified” for appropriate jobs and ADA protections. You can find out more about your state VR agency by going to <http://www.jan.wvu.edu/SBSES/VOCREHAB.HTM>. In a nutshell, the goal of the collaborative state-federal

The ADA: The Fight Isn't Over, continued on page 4



Dear Dr. Cohen:

I'm getting tired of seeing Tom Cruise on TV telling everybody how dangerous Ritalin and other medications are. On the other hand, there does seem to be a lot of press concerning the use of medication on kids. I have a Deaf son on medication and he's doing well, but I was wondering if you have an opinion?

Mrs. J.N., Taos, New Mexico

Dear Mrs. J.N.:

Do I have an opinion? There's not a doctor out there who doesn't have an opinion about celebrities taking up medical causes without the benefit of any training in the clinical sciences. That said, you might be surprised to hear that I actually agree with some aspects of what Mr. Cruise has said.

Simply put, psychotropic medications are like any other medication available in the field of medicine: that is, each drug has valuable uses when utilized appropriately by trained professionals. At the same time, they can have potentially devastating effects when abused. Even something as simple as aspirin can be a highly effective analgesic or blood thinner when used as prescribed, but in an overdose situation it can destroy vital organs relatively quickly.

Because Ritalin is the focus of many of the "psychiatry bashers," let's look at its impact on today's society. First and foremost, I agree that too much Ritalin is prescribed in the United States today. I suspect that is fueled by the dramatic shortage of Child and Adolescent Psychiatrists throughout the country, especially

in rural and socioeconomically deprived urban areas. As a result, many of the kids who end up on Ritalin are merely behavioral problems that have not been fully and appropriately evaluated by the professionals who know what problems to look for and how to differentiate between true Attention Deficit Disorders and other developmental and psychiatric conditions that mimic ADD. In these cases, I believe Mr. Cruise correctly states that these kids are put on meds simply to control them and not because of a real deficit.

It's quite a leap, however, to say that all psychotropic medications are wrong and dangerous all of the time. Again, the problem is not that Ritalin is inherently bad, but rather, that it has to be administered in an appropriate way. Mr. Cruise's ridiculous perspective, frequently echoed by The Church of Scientology, is that American psychiatrists are in cahoots with the drug companies to merely sedate our kids without any regard for their health and welfare.

In closing, I would suggest that my readers keep in mind the plethora of scientific studies that validate the existence of the diagnosis of ADD, and repeatedly document the usefulness, in

some cases, of psychostimulants (Ritalin). The issue is finding good and affordable healthcare, not getting rid of all the medications that have made a difference in the lives of those in need. If your son is doing well and being followed by a responsible professional, I'd leave him alone and enjoy his progress.

Alan Cohen, MD serves as Medical Director and CEO of National Deaf Academy. Dr. Cohen is certified by the American Board of Psychiatry and Neurology. He is trained in Child, Adolescent and Adult Psychiatry. Questions for him should be addressed to acohen@nda.com

The Front Page, continued from page 1
 wave of expansion into providing Group Home and Assisted Living care to Deaf residents. Look for a profile on her in coming issues, but feel free to contact her directly at jellison-seay@nda.com.

In closing, please note that we have set the dates for our annual conference in May of 2006. We look forward to hearing from potential presenters regarding papers pertaining to "Contemporary Mental Health Issues in Deafness."



GUEST SIGNS

The ADA: The Fight Isn't Over continued from page 2

VR programs is to evaluate, counsel, and train people with disabilities for work. The best state VR agencies have master's degree level certified rehabilitation counselors who sign fluently. But three VR issues deserve your attention in making the ADA work for Deaf people. First, VR is very underfunded. Between 1996 and 2005 special education funding has increased 390% compared to a VR funding increase of only 25%. Both programs essentially serve the same constituencies.

WHAT YOU CAN DO:

- Contact government officials at www.visi.com/juan/congress
- Request confirmation of federal officials be restricted to supporters of ADA
- Demand accountability for ineffective academic programs that don't really graduate qualified deaf students
- Oppose H.R. 27 and demand that the VR budget be increased
- Support companies that truly support ADA
- Stay involved!

Second, because of the underfunding, 42 state VR agencies have established Darwinian "order of selection" waiting lists. 63,092 VR applicants with disabilities were on this list between 2002-2003. The VR order of selection waiting list compounds the problems of work-motivated Deaf people. They fall further behind. VR only "rehabilitated" 6,898 Deaf people in 2003, out of a total 217,557 rehabilitations for all disabilities that year (about 3%). Deaf VR "rehabilitations" in 2003 were down from 2002 when 7,243 deaf VR clients were rehabilitated. The irony is that when VR works well with adequate funding, it is profitable in that VR generates taxpayers. Third, advocates for Deaf youth moving toward VR should be aware that the federal 1998 Workforce Investment Act has forced state VR programs and limited resources to become "mandatory partners" in generic "one stop" employment service centers that primarily serve the nondisabled. H.R. 27 recently passed the House of Representatives by a party line vote

224-200; it allows governors, with little accountability, to take money from Vocational Rehabilitation to fund the infrastructure costs of establishing and running these generic "one stop" employment centers. This cannot be good for Deaf VR applicants who hope to someday benefit from ADA rights. The federal Rehabilitation Services Administration (RSA) is backing away from the rehabilitation leadership needed to make the ADA work. The federal government should not be allowed to bait and switch on ADA rights: to offer ADA rights on the one hand, then to toss aside leadership in the federal programs that are essential to people with disabilities trying to qualify for ADA rights. RSA recently announced the closing of ten regional offices (half of the RSA staff) and the downgrading of the office of RSA Commissioner. The Administration is also in the process of dismantling the Deafness and Blindness branches of RSA.

4. Do Business with Companies that Support the ADA in Meaningful Ways. Enough said.

5. Keep Up with the Disability Policy News. There are wonderful web sites and forums available that can help advocates of Deaf people and the ADA keep up with the linkages between disability policy, disability law, disability politics, and disability programs. The more you know about these tectonic plates, the more effective you can be as an advocate.

Colker, R. (2005). *The Disability Pendulum: The First Decade of the Americans with Disabilities Act.*

Office of Special Education Programs (2001). *Twenty-third Annual Report to Congress on the Implementation of the Individuals with Disabilities Education Act.* Washington, D.C.: U.S. Department of Education.

William McCrone, Ed. D., J.D.

Dr. Bill McCrone is Professor of Counseling at Gallaudet University, and an attorney. Dr. McCrone has a Doctorate in Rehabilitation Counseling from the University of Arizona and a Law degree from Georgetown University Law School. He is certified in addictions counseling, rehabilitation counseling, and mental health counseling. Dr. McCrone has published widely on disability law & policy, counseling with Deaf people, addictions counseling with Deaf people, as well as law & ethics in counseling with Deaf people. Dr. McCrone is also a member of the National Deaf Academy Advisory Board.

Toilet Training Autistic Students

Angela Saunders, BA, NBCT

The Charter School at NDA operates on a year-round school schedule. During the 2005 summer session, the Charter School's Special Needs classroom took a break from our everyday school curriculum. Five of our Autistic children (ages 7-15) were using PULL-UPS® Training Pants around the clock. It was time to help these children develop critical toileting skills!

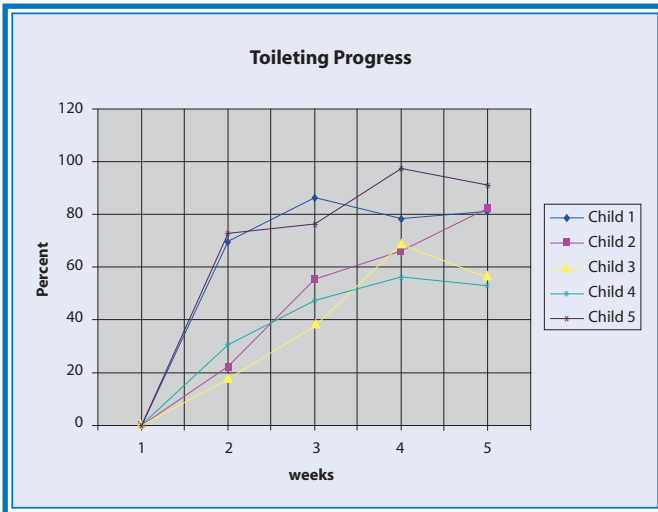
On June 6th we decided to start an innovative toilet training program with a “kick-off” celebration. We made a big deal out of giving the children new underwear and a folder with a sticker chart and pictures of the toilet. For

exact times they were using the toilet or wetting themselves. From this information individualized toileting times were determined.

In week three, students were taken to the restroom only at the designated times. Success was highly praised and then documented. The data was then reviewed at the end of the week and the designated toileting times were then modified as needed to suit the individual child.

Due to the extremely limited expressive language skills of these autistic children, they were given badges to wear on their waist with a picture of a toilet. Before being brought into the restroom, each child was prompted to touch this picture to learn to indicate toileting needs through picture communication.

Through this method, students who were at 0% toilet use when we began this program were showing continued growth over the training period. Although we have concluded this intensive toilet training session, it is amazing to see how responsive the students continue to be to the program. As we begin the 2005-2006 school year, students have remained on their individualized toileting schedules. We hope to see continued improvement in their abilities to remain dry throughout the day and to indicate needs through picture communication as we consistently reinforce appropriate toileting behavior.



Tracking the Unbelievable Progress

the first two weeks, the students were scheduled to sit on the toilet for twenty minutes at a time during which they enjoyed one-on-one attention from staff. We wanted to make the toileting process fun and enjoyable so we told the children stories, had them play in bowls of water, and exposed them to a variety of sensory activities.

After twenty minutes in the bathroom, they were given a twenty minute physical activity, and then the cycle repeated itself from the time they woke up until bedtime. During this initial two-week period, fluids were given to the students continuously to increase their need to urinate. When students used the toilet, they were given praise by our entire group, and given a treat to immediately reinforce the desired behavior. Baseline data was gathered over these first two weeks to determine the



Special Needs teacher Angela Saunders works with an autistic student on developing toileting skills.



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National Deaf Academy Announces Its 2006 Conference *“Contemporary Mental Health Issues In Deafness”*

Plans for the 2006 National Deaf Academy conference are well under way! Conference sessions will focus on a wide variety of topics relating to mental health, Deafness, interpreting and classroom behavior disorders. If you or someone you know would like to submit a presentation paper please feel free to send it to Elena L. Moore at emoore@nda.com.

Dates:	May 10 - 12, 2006 May 10th – Evening Reception May 11th & 12th – Concurrent Sessions
Location:	Rosen Centre Hotel 9840 International Drive Orlando, FL 32819 800-800-9840 407-996-9840 www.rosencentre.com
Rates:	Conference Registration: \$250 Hotel Guest Rooms: \$135/night not including tax

In order to obtain more conference information, as it is released, please keep your eye out for subsequent editions of the NDA SignPost, the on-line newsletter Deaf Digest or check out the conference section of the NDA website at: <http://www.nationaldeafacademy.com/conference.html>. You may also call Elena Moore directly at: 352-735-9500.

We hope to see you in May!