**MEMORANDUM**

To: The Members of the Colorado General Assembly

From: The Members of the National Federation of the Blind of Colorado

Date: February 14, 2018

Re: Legislative Concerns of Blind Citizens

**GENERAL BACKGROUND**

The National Federation of the Blind (NFB) is the oldest and largest organization of the blind in the United States and in Colorado. The primary mission of the Federation is to allow the blind to live the lives they want in all areas of life from ensuring basic civil rights to securing employment and education for the blind. Founded officially in 1955, the NFB of Colorado engages in several programs specifically designed to create greater opportunities for the blind. For example, the Federation is the chief sponsor of the Colorado Center for the Blind. The Colorado Center provides training in the alternative skills blind people need to become fully participating members of society. Additionally, NFB offers national and statewide scholarships. We also provide a free talking newspaper called NFB-NEWSLINE® which allows the blind of our state to read the daily newspaper just as easily as their sighted peers. We advocate for the rights of the blind in all areas ranging from education to employment. Where positive changes are happening in the blindness field, there is a good chance that the Federation is involved.

**2018 LEGISLATIVE AGENDA**

First, we urge this Assembly to adopt H.B. 18-1104, The Family Preservation Safeguards for Parents With Disabilities Act, to create protections for parents who are blind or otherwise disabled from losing their right to parent based on their disability. Second, we strongly support increased state funding for NFB-NEWSLINE® which brings daily newspapers and other periodicals to the blind of Colorado in accessible formats. Third, we would like to make the Assembly aware of important programs of the Federation such as our Colorado Center for the Blind and our academic scholarships.

For further information contact:

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**SUPPORT THE FAMILY PRESERVATION SAFEGUARDS FOR PARENTS**

**WITH DISABILITIES ACT, H.B. 18-1104**

The United States Supreme Court has avowed continuously and with conviction that parents’ rights to the care and custody of their children are protected under the Due Process Clause of the 14th Amendment. Beginning with the seminal 1923 decision in *Meyer v. Nebraska*. Far too often, however, this fundamental right has not been extended to the millions of parents who are blind and who have other disabilities. In Colorado, current law allows disability to be a factor on which important parental rights can be denied. That is why we urge you to adopt The Family Preservation Safeguards for Parents With Disabilities Act, H.B. 18-1104, introduced by Representative Jessie Danielson.

The problem with current Colorado law is that a parent’s disability can be used to limit important rights such as parenting time, the ability to serve as a foster parent, or to adopt. Additionally, disability can also be used to remove a child from a parent or to appoint burdensome guardianships when not truly necessary. This creates a situation where the parent must then prove that his or her disability does not negatively affect the parent’s ability to insure the best interest of the child. Often times, decisions limiting the right of parents with disabilities are founded on misconceptions and stereotypes about disability and such decisions do not take into account support services that can be offered and adaptive techniques that allow parents with disabilities to care for children safely and meaningfully as others without disabilities. This results in over thirteen percent of parents with disabilities reporting significant forms of discrimination like a child’s removal from the family.

H.B. 18-1104 protects against unfair and unlawful discrimination based on disability by reversing the legal burden necessary for making decisions limiting the right to parent and by requiring that courts and other decision makers consider support services and alternative parenting techniques before making the ultimate decision in all matters affecting parental rights. Because the right to parent is fundamental and afforded great protection, misconceptions and prejudice about a characteristic like disability should not be used to limit this Constitutional right. Under H.B. 18-1104, those arguing that a physical or mental disability does in fact negatively affect the welfare of the child must prove, through clear and convincing evidence, that a parent’s disability does in fact endanger the child’s welfare. In making such a decision, the availability of support services for the parent with a disability and the use of alternative parenting techniques must be considered. Nothing in this legislation will limit the ability of decision makers to protect a child’s safety and well-being if a disability is in fact threatening same. The bill merely creates an environment where the true effect of a parent’s disability will be determined as opposed to the current environment which too easily permits decisions to be made based on both explicit and implicit bias about disability.

For these reasons and others, the Members of the NFB of Colorado urge you to adopt H.B. 18-1104 without delay! Being a parent is one of the most significant and precious gifts that creation bestows upon us as humans. Now it is time to eradicate discrimination based on disability which unfairly interferes with the right to parent.

 For further information regarding H.B.18-1104 contact:

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**INCREASE FUNDING FOR NFB-NEWSLINE® SERVICE**

For more than a dozen years, the Colorado General Assembly has funded Colorado’s NFB-NEWSLINE®, providing blind Coloradans the same daily access to newspapers and magazines as their sighted neighbors and family members enjoy. This year, we request that the General Assembly increase its financial support, currently at $60,000.00 a year, of this project so that more publications can be offered and more blind people can access the service. Because NFB-NEWSLINE® is funded through the Disabled Telephone Users Fund (DTUF), Increased funding to NFB-NEWSLINE® does not impact general funds. The DTUF’s funding comes from a very small fee on Lan lines and cell phones in Colorado.

Access to information from the newspapers and magazines of our nation and state play a critical role for each of us as informed and participating citizens. Recognizing this, the National Federation of the Blind created NFB-NEWSLINE® for the blind in the mid-1990s. With this revolutionary system, the blind are able to pick up their touch tone phone, call a toll-free number, open an app on their iOS or Android device and select from more than 450 different newspapers and magazines including the Denver Post, Colorado Springs Gazette, Fort Collins Coloradan, Wall Street Journal, New York Times, and many other national newspapers. Today the phone-in option is still in place, but access via the NFB-NEWSLINE® mobile app has comparable usage statistics. Additional options include online on-demand reading with a web browser, email delivery and, remote content download via specialized devices used by the blind and others with print disabilities. Thus, subscribers have access to the three Colorado newspapers offered, national papers as well as 75 magazines – everything from AARP publications to Time and Wired. There are even accessible and locally-relevant television listings – something impossible to find in an accessible form for the blind otherwise. Additionally, the system provides current weather conditions as well as watches and warnings. Currently, over 1300 blind Coloradans have access to the 450-plus newspapers, 75 magazines, and other publications on the system. About every two minutes, a blind Coloradan is tapping into the vast wealth of information provided by NFB-NEWSLINE®.

With increased funding, the NFB of Colorado will both maintain the system and expand its reach. We will create even greater opportunities to share NFB-NEWSLINE® on additional web based and other technological platforms; expand the number of publications available; train more blind individuals to use the system; and work with the Audio Information Network of Colorado (AINC) to provide more information to the blind of Colorado. AINC is another service funded by the DTUF providing other timely publications and information to our state’s blind and the NFB of Colorado supports increased funding for AIN as well.

For further information regarding NFB-NEWSLINE® contact:

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**SUPPORT THE COLORADO CENTER FOR THE BLIND AND OTHER NFB PROGRAMS**

In your packets, you will find brochures on the Colorado Center for the Blind and fliers for National Federation of the Blind national and local scholarships. These and other programs are of great importance and therefore deserve a specific mention.

Founded in 1988 by the NFB of Colorado, the Colorado Center for the Blind (CCB) offers world class rehabilitation and adjustment to blindness training to blind/visually impaired individuals in our state and from all over the world. The CCB believes that with the right kind of training and a positive attitude, blindness need not be a tragedy and should not artificially limit a person’s hopes and dreams. The program serves all ages from kids as young as elementary age to seniors. CCB teaches cane travel/orientation and mobility, Braille, technology, independent daily living skills, employment skills, and much, much more. Nearly all of the teaching staff is made up of blind instructors who serve as excellent role models. Please read the CCB brochure in your packet for more information or go to www.cocenter.org. Our Center is located in Littleton and you are always welcome and encouraged to visit.

**SCHOLARSHIPS**

The National Federation of the Blind, on a national basis, offers thirty scholarships to talented blind men and women attending a post-secondary institution. Over a hundred thousand dollars are awarded each year and provide real opportunity for deserving students. On a state level, the NFB of Colorado offers up to five scholarships to blind men and women attending a post-secondary institution and scholarships range from $1,500.00 to $5,000.00. More information on how to apply is contained in your legislative packet. Please inform your local high schools, colleges and universities as well as any blind/visually impaired post-secondary student you know about these valuable scholarship opportunities.

For further information on any of these issues contact:

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