

WEDNESDAY SEPTEMBER 26, 2012

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Part 1 of a 2-part series

CAPTIONING COMPLAINTS

Student struggles with disability office resources



Kevin James Reyes, criminal justice senior, and his hearing dog, Jasper, cope with frustrations with the Office of Disability Services on a day-to-day basis.

By Jordan Gass-Poore
The University Star

Kevin-James Reyes took a long drag of a cigarette while his three-year-old hearing dog, Jasper Hale Cullen, lay patiently by his feet.

The two were taking a break from walking, their typical mode of transportation. The black Labrador provides Reyes, a criminal justice senior who has been deaf since he was 10 years old, with companionship and an increased sound awareness of his environment.

However, there are many obstacles still standing in Reyes' way of independence.

He said he struggled for years with the Texas State Office of Disability Services about on-campus accessibility for those who are deaf or have partial hearing loss.

"I want to feel the real life experiences," Reyes said. "I'm forced to sit at home."

Reyes' feelings of isolation stem from numerous failed attempts to receive sufficient interpreter and captioning services from Disability Services. The New York native said he has even considered transferring from the university because of problems with the office.

Clint-Michael Reneau, Office of Disability Services director, said in an email he is obligated by federal regulations and personal respect for students' privacy not to disclose specific student information.

However, Reneau said the office makes every effort to look into matters that may have an impact on the 1,601 students registered with ODS.

Financial circumstances brought Reyes to Texas State after transferring from Rochester Institute of Technology last year. He said Texas pays for his education through the Department of Assistive and Rehabilitative Services Certificate of Deafness Tuition Waiver.

Reyes may not be contending with tuition costs, but he worries about the day-to-day, outside-the-classroom activities that make life as a university student memorable and worthwhile.

Reyes said he wants to enjoy Texas State-sponsored events, such as live Bobcat Athletics play-by-plays, with his friends. However, scheduling conflicts and insufficient funds have halted his requests for an interpreter or captioning services at university football games.

READ ODS, PAGE 3

County faces potential suit over prayers

By Taylor Tompkins
Assistant News Editor

Invocation, the prayer that opens every Hays County Commissioners Court meeting, proceeded as usual Tuesday, despite being the topic of a potential lawsuit facing the court.

Americans United for Separation of Church and State sent county commissioners a letter dated April 27 regarding a complaint they received over the inclusion of sectarian prayer during the meetings.

Though the letter implied further legal action would be taken, commissioners took no action over the potential lawsuit during the Sept. 25 meeting.

According to the letter, this practice violates the Establishment Clause in the First Amendment of the Constitution. The court can only be in compliance by either no longer praying or restricting invocation to nonsectarian prayer.

The letter said the sectarian prayer alienated non-judeo-christian constituents and left them feeling unwelcomed and unrepresented by commissioners. Americans United for Separation of Church and State said in the letter that commissioners are not representing their citizens by continuing sectarian prayers.

The letter requested the court respond within 30 days.

"They claim that the only way we can maintain prayer in the court is a nonsectarian (prayer), by not mixing certain Christian words like 'Jesus,' 'Father God' or 'Holy Spirit,'" said Judge Bert Cobb. "This court changed its behavior, and I did all the prayer for 10 weeks, which was just fine with them."

Cobb said the issue re-emerged after a volunteer said "in the name of Jesus" during a meeting.

The organization sent another letter to the court June 19. The letter expressed the need for further action if there was no reported response from commissioners after 14 days.

Cobb wouldn't name the person whose complaints prompted the letters from Americans United for Separation of Church and State. The court opened public comment to allow for transparency to constituents in Hays County, Cobb said.

"We have been very cognizant of the problems of the separation of church and state," Cobb said. "We have puzzled with this for months, but this being the most open court in the history of Hays

READ PRAYERS, PAGE 3

Texas law could cut funding to women's clinics

By Megan Carthel
News Reporter

Local low-income women may be affected if a recent Texas ruling is passed.

Texas officials recently attempted to pass a law to exclude any non-profit clinics providing abortion services from receiving funding from the Medicaid Women's Health Program. Seven Planned Parenthood facilities then sued the state, arguing the ruling violates the organization's right to free speech.

The Women's Health Program is a federally funded program helping to provide basic and comprehensive health care by awarding money to non-profit clinics.

Sarah Wheat, interim co-CEO of Planned Parenthood of the Texas Capital Region, said the Planned Parenthood on East Seventh Street in Austin treats about 25,000 women per year.

Wheat said if the ruling is passed, the organization would lose approximately \$3 million. The clinic uses this money to provide free exams. To make up for the lost funds, Planned Parenthood might have to close down a clinic or two or begin charging clients some type of fee. They might have to let go some of the doctors, nurse practitioners and RNs the organization employs.

"It just doesn't fit into some women's monthly paychecks to pay for cancer screenings and exams," Wheat said. "We will not be able to serve as many women without (the Women's Health Program). That's unfortunate."

Terry Williams, former director of Central Texas Life Care, said Texas has a right to distribute the funds any way the state deems fit.

"No matter where you are, really across the board, we know philosophically, politically and religiously that most of us really agree that my tax dollars and your tax dollars should not go to fund someone else's abortion," Williams said.

Molly Finneran, Texas State Feminists United co-president, said if the state stops funding Planned Parenthood and similar entities, Texas will have to create its own program, which will be more costly.

"We can barely afford to fund our public schools right now," Finneran said. "How are we supposed to take on something like the Women's Health Program?"

Williams said Texas will implement its own Texas Women's Health Program Nov. 1.

Planned Parenthood, a non-profit women's health clinic, receives funding based on the amount of clients it sees.

Planned Parenthood clinics are part of nearly 2,000 women's health clinics providing or referring abortions, Williams said. Planned Parenthood clinics provide women with cancer screenings, sexually transmitted disease and infection testing, education and other women's health care services.

Wheat said the top three services provided by Planned Parenthood to mostly low-income women are birth control, screening and treatment of STDs and STIs and breast and cervical cancer screenings. She said 95 percent of the services Planned Parenthood

provides to its clients are non-abortion services.

Wheat and Finneran both agree defunding the Women's Health Program to clinics providing abortion services would cost the state more money in healthcare dollars than it would to continue funding.

Williams suggests using funds in abstinence education in schools to help prevent a higher number of unplanned pregnancies among lower-income women.

Finneran said when lawmakers say they are pro-life, they generally don't support social services and increased Medicaid.

"It boggles my mind that you can tell me you're pro-life but not support things that support children, families and women," Finneran said.

Sarah Wiatrek, co-president of Feminists United, believes the ruling is a forceful response from individuals imposing their religious beliefs on others.

"Believe what you want to believe," Wiatrek said. "Acting on your belief is what should be protected and that's what's being lost. To me (the problem is in) more of the gray area where religion fits into the state should be able to practice what they want."

Governor Rick Perry called the ruling "a win for Texas women, our rule of law and our state's priority to protect life," according to an Aug. 21 New York Times article.

"I think any time you're declaring a victory when you've blocked access to cervical cancer screenings for low income, uninsured women, that's not a win and that's not a victory," Wheat said. "It's certain that the outcomes are not positive."

The Planned Parenthood on East Seventh Street in Austin treats about **25,000** women per year.

Planned Parenthood clinics are a part of nearly **2,000** women's health clinics providing or referring abortions.

About **95 percent** of the services Planned Parenthood provides to its client are non-abortion services.

"No matter where you are, really across the board, we know philosophically, politically and religiously that most of us really agree that my tax dollars and your tax dollars should not go to fund someone else's abortion."

—Terry Williams, former director of Central Texas Life Care



wild art



Lauren Walter, history senior, donates blood Sept. 25 in The Quad during the Texas State Blood Drive.

Erin Dyer, Staff Photographer

ON THIS DAY IN HISTORY

1789 - Thomas Jefferson was appointed America's first secretary of state and John Jay the first chief justice.

1888 - Poet T.S. Eliot was born in St. Louis, Mo.

1898 - Composer George Gershwin was born in Brooklyn, New York.

1914 - The Federal Trade Commission was established.

1950 - United Nations troops recaptured the South Korean capital of Seoul from the North Koreans.

1957 - The musical "West Side Story" opened on Broadway.

1969 - The album "Abbey Road" by the Beatles was released.

1986 - William H. Rehnquist was sworn in as the 16th chief justice of the United States, while Antonin Scalia joined the Supreme Court as an associate justice.

2000 - Slobodan Milosevic conceded that his challenger, Vojislav Kostunica, had finished first in Yugoslavia's presidential election. Milosevic declared a runoff, a move that prompted mass protests leading to his ouster.

2005 - Army Pfc. Lynndie England was convicted by a military jury on six counts stemming from the Abu Ghraib prison abuse scandal.

2005 - International weapons inspectors announced the Irish Republican Army's full disarmament.

2007 - Myanmar began a violent crackdown on protests, beating and dragging away dozens of monks.

- Courtesy of The New York Times

CRIME BLOTTER

Sept. 16, 2:22 a.m.
Gaillardia Hall
Minor in possession of alcohol
Two students were cited for minor in possession of alcohol. This case is under judicial review.

Sept. 16, 3:32 a.m.
Student Center Drive
Minor in possession of alcohol
Two students were cited for minor in possession of alcohol. This case is under judicial review.

Sept. 16, 4:24 a.m.
Read Street
Driving under the influence of alcohol by a minor
A student was arrested for DUI-minor and transported to the Hays County Law Enforcement Center and is awaiting a trial.

Sept. 16, 7:09 p.m.
Blanco Parking Garage
Possession of drug paraphernalia
A student was cited for possession of drug paraphernalia. This case is under judicial review.

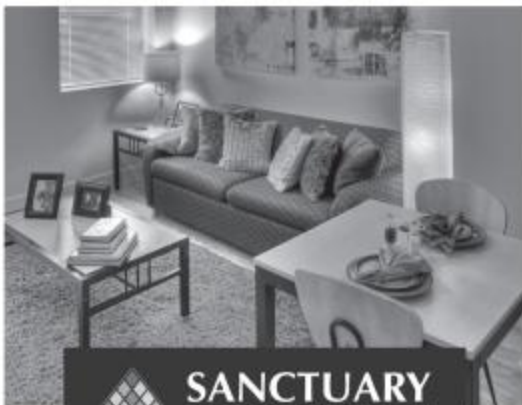
Sept. 16, 10:00 p.m.
Blanco Parking Garage
Burglary of vehicle
A student reported personal property had been taken without consent. This case is under investigation.

Sept. 18, 5:07 p.m.
LBJ Parking Garage
Forgery of government monetary instrument
Attempt to spend counterfeit currency at the university was reported. This case is under investigation.

Sept. 18, 6:57 p.m.
Academy Street
Warrant service
A non-student was arrested for a warrant and transported to Hays County Law Enforcement Center.

-Courtesy of University Police Department

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ODS CONTINUED FROM PAGE 1

Reyes said the office continues to blame its inability to provide adequate resources to those registered with a hearing disability on lack of funding.

However, Reneau said every university department and office must efficiently and effectively manage budgets and resources in order to maximize service to all students the office serves.

"The vice president for student affairs, budgeting office and the president have always been willing to provide the Office of Disability Services with the funds needed to ensure all of the students served by (the Office of Disability Services) at Texas State have appropriate and reasonable accommodations to meet the needs of their academic programs and educational experiences," Reneau said.

There were an estimated 51 deaf or hard of hearing students registered in 2010. Linda Lovelace, liaison interpreter, said students who are deaf or have partial hearing loss must provide an audiogram as documentation.

Services offered to students with hear-

ing loss include interpreters, preferential seating and closed captioning. Lovelace said the captioning services pilot program was implemented at Texas State in fall 2004.

Since then, there have been more than 100 special captioning requests, totaling more than 11,000 hours in fiscal year 2010. Twenty-four students used captioning services last year.

Reyes said funding problems have been a reason why the office employs student caption writers who assist in transcribing lectures at the request of those registered through the office.

Texas State alumnus Matt Kelly was a university caption writer for more than a year. He worked with about 20 students.

For Kelly, working as a caption writer meant always reaching his goal of transcribing lectures and student questions "verbatim."

To reach his transcription goal, Kelly said the office required training for caption writers, which included transcribing lectures about classroom professionalism,

typing enhancement software and practicing keying previously recorded lectures.

His caption writing training did not end once he entered the classroom.

Kelly said he and his fellow caption writers performed routine trainings throughout the year intended to keep their services at the highest possible performance level.

"There were some difficulties in captioning. It can be a somewhat demanding job and requires a lot of focus, sometimes for a long period of time, if you're working alone," Kelly said. "Spelling can be tricky sometimes, especially in classes with a lot of jargon. Some professors may have thick accents, which also complicates the transcription process. These challenges can be overcome with practice, however."

Reneau said the caption writers must complete a comprehensive interview, skills test and inventory procedure before being assigned to a student who is deaf or has hearing loss. Once in the classroom, caption writers set up a laptop or a machine with a display screen the student can view.

However, Reyes had complaints about the student captionists.

"(The Office of Disability Services) doesn't train students," Reyes said. "They type word-for-word and are very slow. They sometimes say they can't hear the professor when they miss a word. I can read lips. They also don't ask the professor how to spell the word. It gets frustrating."

Reyes did not feel as though his assigned caption writers' transcription abilities improved over time.

As a solution to his problem, Reyes said he requested to hire a friend who is a certified caption writer through an outside source, but was told by Texas State Office of Disability Services he could not.

However, Reneau said he does not believe the office has received any requests from students to hire a caption writer.

Reyes said he has had to continue to use the services despite failing classes and dealing with Texas State faculty and staff who stereotype. He wants to make it his life's work to help improve Americans with Disabilities Act services in Texas.

PRAYERS CONTINUED FROM PAGE 1

County, we thought it was time that you understood the problem. This court was very aware of it and is doing its very best to comply with the law in all forms."

Cobb said the entirety of the court wants to keep prayer as part of court sessions and would have to decide how to pay for litigation should legal action occur.

Jonathan Saenz, Buda resident and attorney for the Liberty Institute, said his firm specializes in constitutional law and would offer the county its legal services

free of charge.

"Time and time again we have seen groups threaten well-meaning public servants like yourselves trying to do the right thing and continuing to follow the law, with threats that are baseless and are not followed by current law," Saenz said to the commissioners. "Time and time again, Liberty Institute, myself and our trained litigators have stood with officials like you, have stood for religious liberty."

Saenz said the letter cited opinion, not

legal fact, to support the claim prayer before meetings was unconstitutional.

Sam Montoya, a pastor in San Marcos for 41 years, said he has given invocations "with his whole heart" at community functions over the years.

"You have a heavy burden upon you," Montoya said to the court. "You have a heavy burden to lead us. Please continue those prayers and allow us to be part of this work."

There were approximately 20 residents

who spoke at the meeting, none of whom asked the commissioners to stop praying.

Among those was Susan Narvaiz, former San Marcos mayor and congressional candidate. She said she supported the court, not only as a Christian but as a representative who faced similar problems.

"This is what many men and women died for," Narvaiz said. "Today is your day to defend it. Not on a bloody battlefield in a far away land, but right here at home in Hays County."



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