



The Voice of Disability Rights in the
(Bureaucratic) Empire State since 1984

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Community Living is a Human Right

By Jennifer Watson



This summer, we celebrated the 36th anniversary of the Americans with Disabilities Act (ADA), a landmark civil rights law that forever changed our nation. While we celebrate the progress that has been made, we also recognize the advocates whose determination made the ADA possible and recommit ourselves to the work that remains. The ADA was not a gift from the government. It was won through decades of organizing, protest, civil disobedience, and advocacy by people with disabilities determined not to remain invisible, segregated, or silent.

People fought for the right to enter public buildings, attend school, get a job, use transportation, receive healthcare, communicate, and participate in community life. Most importantly, they battled for the fundamental human right to control their own lives.

That fight is not over.

The Independent Living Movement is grounded in a simple but powerful belief: people with disabilities have the right to make their own choices and direct their own lives. We have the right to

decide where we live, who we live with, who supports us, what services we receive, and what our lives look like. We are not patients to be managed, problems to be solved, burdens to be carried, or people to be hidden away. We are the experts on our own needs. We are people, and we belong in our communities.

The 1999 Supreme Court decision in *Olmstead v. L.C.* affirmed that the unnecessary institutionalization of people with disabilities is unconstitutional discrimination under the ADA. It put into law what disabled people had said for generations: segregation is not health care. Confinement is not protection. And an institution is not a substitute for a home, a family, or a life.

Today, that freedom is under renewed attack.

In June, the U.S. Department of Justice (DOJ) issued an opinion attempting to shred the legal foundation of the ADA's integration mandate and erase decades of progress under *Olmstead*. In July, DOJ went even further, announcing that it would cease to rely on its longstanding

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ing *Olmstead* guidance in the enforcement of Title II of the ADA.

Then, on August 31, 2026, DOJ, on behalf of the Department of Health and Human Services, joined Texas, Florida, and Alaska in filing a proposed resolution of *Texas, et al. v. Kennedy*.

In *Texas, et al. v. Kennedy*, five states (Texas, Alaska, Louisiana, Montana, and Florida) had challenged the 2024

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HHS regulations implementing Section 504 of the Rehabilitation Act, which prohibits disability discrimination by recipients of federal funding. (The current HHS secretary, Robert F. Kennedy Jr., is *ex officio* the named defendant.) The states' lawsuit specifically focused on the regulations' protections for community integration. The resolution proposed by all parties to the lawsuit asks the court to vacate references to community integration throughout the regulations, including the entire integration provision. In an oddly circular fashion, the resolution relies on the June memorandum from DOJ's Office of Legal Counsel, which aligned the federal interpretation with those of the litigating states.

STIC strongly and unequivocally condemns the actions of DOJ and HHS. This proposed resolution continues the federal government's rejection of its duty to enforce the right of people with disabilities to live in their own homes and communities.

This is not an abstract legal disagreement. It is a direct threat to the lives and freedom of people with disabilities. It is an attempt to roll back the gains of a half century of progress in recognizing the rights of people with disabilities.

When DOJ questions whether states must provide services in the most integrated setting, it sends a message that community living is optional. It gives policymakers cover to cut home and community-based services, ignore waiting lists, deny personal assistance, and push people into institutions because confinement may be easier for a system to administer – though it is typically far more costly.

We know where this road leads, because people with disabilities have lived that history. This road leads to people being taken from their homes and separated from their families. This road leads to people losing control over when they wake up, what they eat, who

enters their living space, who touches their bodies, and whether they are free to leave a building. This road leads to isolation, neglect, abuse, and lives controlled by institutions rather than by the people living them.

We must not allow ourselves to be dragged backward.

To be clear, DOJ, despite their best efforts, cannot erase the ADA or overturn a Supreme Court decision through a legal opinion, administrative notice, or proposed resolution. The ADA and Section 504 remain the law. *Olmstead* remains the governing interpretation of those laws. Only Congress can change those laws.

DOJ's novel interpretation of *Olmstead*, the ADA, and Section 504 is flatly wrong, and is inconsistent with approximately fifty years of law. DOJ itself concedes that its interpretation is "out of step" with how courts across the country have interpreted the law.

Despite the impotence of DOJ's actions, we must not ignore these actions as harmless, for they are not. When the federal agency charged with protecting civil rights instead seeks to undermine them, we should all be outraged.

Moreover, these actions are part of a deeply concerning pattern. People with disabilities, and others who are considered different, are increasingly villainized and portrayed as undeserving of the rights, resources, and opportunities afforded everyone else. Diversity, equity, inclusion, accessibility, and civil rights are under attack.

These actions make passage of the LaTonya Reeves Freedom Act now before the U.S. Congress more important than ever.

The LaTonya Reeves Freedom Act, H.R. 9401/S. 4865, would strengthen the right of people with disabilities who need long-term services and supports to receive those services in their

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own homes and communities. It would affirm that people eligible for these services have a federally protected right to receive them in the most integrated setting appropriate to their needs, with meaningful choice and control over their lives.

The Act would build on the protections of the ADA, Section 504, and *Olmstead* while addressing the institutional bias that remains embedded in how long-term services and supports are funded and delivered. Too often, government programs will pay to confine someone in an institution while refusing to provide that same person with the support needed to remain at home. No one should have to give up their freedom, privacy, relationships, or control over their daily life simply to receive support.

The recent actions of DOJ and HHS expose how vulnerable disability rights become when they depend on an administration's interpretation of the law or its willingness to enforce it. The right to live in the community should not change whenever federal leadership changes. It should not depend on a state's priorities.

Congress must put clear, enforceable protections directly into federal law.

The LaTonya Reeves Freedom Act is not merely an expansion of services or a policy preference. It is civil rights legislation. It recognizes that the freedom to live in the community is every bit as fundamental as the right to enter a public building, attend school, obtain employment, or use public transportation.

The 36th anniversary of the ADA cannot be treated only as a celebration of past progress. It must be a call to protect that progress and continue the work that remains unfinished. Rights have meaning only when they are enforced, and community living is possible only when investments are made in accessible and affordable housing, reliable transportation, personal assistance, healthcare, integrated employ-

ment supports, and a stable, justly compensated direct-care workforce.

As we celebrate the progress secured through the ADA, that same determination must guide us now. We must continue working to realize the ADA's full promise. We will not accept a return to segregation, isolation, or institutionalization. The next step is passing the LaTonya Reeves Freedom Act, clearly and enduringly establishing that living in one's community is not a privilege that can be granted or withdrawn, but rather a natural right and a civil right firmly protected under law.

Preserve Head Start Performance Standards

By Tara Ayres, Stephanie Quick, Karen Roseman, Sue Ruff, John Rzepka, Shannon Smith, and John McNulty

The Department of Health and Human Services, which administrates the Head Start program, has published a proposal – *Reducing Federal Burden for Head Start Programs* – that would comprehensively “rescind and replace” the performance standards that govern Head Start. STIC has grave concerns about this new direction for Head Start.

Because a solid educational foundation is essential to an individual's future success, Head Start was created to ensure that maximal access to the best education possible was made available to all Americans. The Head Start initiatives were designed to ensure that all of America's youngest residents had access to the educational services and supports needed to take that critical first step towards their best future, and in the aggregate towards America's.

The proposed reforms, along with the proposed rescission of the interpretation of the “most integrated setting” clause in section 504 of the ADA, contravening the *Olmstead* SCOTUS decision,

would disadvantage families and individuals that depend on Head Start for the successful launch of their children's educational journey. While the proposed reform espouses cost savings and state empowerment, vulnerable students and their families fear they will lose their voice in their education.

This is a substantial, multi-faceted document that proposes several different initiatives. Some of them may be beneficial. We are cautiously open to one suggestion to address the shortage of teachers in Head Start programs by altering educational prerequisites, although we would note that better compensation and/or assistance repaying student loans would probably help the labor shortage as well. We also believe that empowering states more in managing Head Start programs offers the promise of greater local experimentation and the tailoring of services most appropriate to specific communities.

At risk, however, is whether the youngest Americans will be able to reach their full potential academically and socially, whether they will be well prepared for more formal education in grade school and beyond, and whether they will be well socialized and prepared for the diverse and rapidly evolving world of the 21st century. Do we envision a future where they can have their first job, go on to college, and advocate for themselves with their own words, letters and actions? Head Start has been an important first step towards a future of flourishing for over half a century. The proposed rule risks denying that to the next generation; if the fears of these reforms are well-founded, that would be a tragedy with irreversible consequences for at least a cohort of children. We note that Head Start is not merely a preschool program, but part of a comprehensive anti-poverty program launched by the Johnson Administration in the wake of President Kennedy's assassination and supported by the late president's broth-

er, Attorney General and Senator-to-be Robert F. Kennedy Sr.

The current changes, to quote Coral Davenport, are “not an overhaul . . . [but] essentially an erasure” of the bulk of federal regulations on the administration of the program. The proposed rule eliminates roughly ninety percent of existing Headstart Regulations, shrinking them from one hundred pages to ten. While we have some sympathy for the general notion that reducing regulatory burdens can often be constructive, we must nonetheless review what requirements and regulations will be set aside in this grandly sweeping cull.

Class Size: The new proposed changes say they will add 200,000 slots, but no funding accompanies this augmentation. Rather, the new slots will emerge from removing the Federal requirements over class size. Under extant Head Start rules, the ratio for a class of 2-year-olds would be one teacher for four 2-year-olds. States have parallel requirements, which vary – some match the federal requirements, others are more lax, and only one exceeds them. Our state of New York only requires a 1:5 ratio. In the state of Idaho, the requirement is one teacher for nine 2-year-olds. Anyone who has ever spent a significant amount of time with a single 2-year-old knows how ill-advised this is. No educational benchmarks will be reached in a class of 2-year-olds with a 1:9 ratio. To further illustrate, NAEYC posted the following statistics: five states have a 1:7 ratio and more than a dozen states follow a 1:6 ratio for classrooms serving 12–18-month-olds, and 11 allow ratios of 1:10 or more for classrooms serving children under 3. As mentioned, only a single state has stricter standards than Head Start with a 1:3 ratio for infants, meaning that in all remaining cases, moving to state requirements would tend to reduce the opportunities for individualized attention and interactions children participating in Head Start would receive.

Elimination of guidance on disciplinary standards: Restrictions on suspensions and expulsions have been eliminated, and corporal punishment is now permitted. While acknowledging that there are cases where managing misbehaviors is hard, we are talking about a preschool population. Expulsions and suspensions should be restricted to the most extraordinary cases, and corporal punishment should never be permissible.

Removal of explicit requirements for Developmental Screenings, Disability Supports, and “detailed protections” for students with disabilities. In 1972, the Economic Opportunity Act mandated that 10% of Headstart enrollment be specifically reserved for students with disabilities, providing some equity and access to the services. Also, regulatory language ensuring that homeless students receive desperately needed supports is being excised. Without these protections, enrollment of students with disabilities and students experiencing homelessness will inevitably shrink, as “easier” students are admitted ahead of them, putting at risk some of the invaluable services that make Head Start the holistic program that we know and appreciate.

Staff Qualifications: We addressed this briefly above. Reducing educational qualifications, while simultaneously increasing class size and reducing ratios, endangers the safety of the children in Head Start. The risk that something bad will happen is simply higher. But in addition to basic safety concerns, research clearly shows that children who receive instruction by skilled educators are better prepared for kindergarten, experience fewer grade retentions, and show lasting academic gains through elementary school and beyond. We are open to some relaxation of the strict educational requirements but doing so while at the same time drastically expanding class sizes and student-teacher ratios is recklessly indifferent to the safety of the children and the quality of their educational experience.

Family and Community Engagement: We are especially concerned about reducing requirements for family and community engagement. Meaningful family engagement is not simply an optional activity or an administrative process. It is fundamental to Head Start’s mission, improving attendance, attitudes towards school, academic achievement, graduation rates, and more. Families bring essential knowledge about their children, their culture, strengths, needs, and goals, and a strong federal mandate requiring family engagement help ensure that parents are not merely informed about decisions but are genuinely included as partners in their children’s education and development. The proposed rule removes these mandates, which would be detrimental to the structure of the Head Start philosophy. One of the most important factors in the success of Head Start is home visits, and absent the family engagement requirement, home visits will plainly be one of the first dominos to fall, with the quality of the educational intervention diminishing accordingly.

The proposed changes could have an even greater impact on children with disabilities, children experiencing trauma, dual-language learners, children experiencing homelessness, and families with complex needs. These children often require intentional coordination, individualized support, strong family partnerships, and access to multiple services. Removing detailed requirements does not necessarily eliminate the need for those services – it may instead make them less consistent and less accessible.

This rule is promoted as increasing flexibility. We are dubious. Head Start is a federal grant program, funding is tied to the number of people served, and ultimate discretion on the awarding of grants rest with HHS. Any increased flexibility is on the margins; the strings tied to funding are still fully in place. Further, flexibility must not come at the expense of equity, accountability, safety, or quality. The current Perform-

mance Standards provide a common foundation across the country while still allowing programs to respond to local needs. Rather than eliminating important protections, we urge ACF to retain strong Federal standards while identifying opportunities to simplify paperwork and reduce unnecessary administrative requirements.

And some strings have indeed been added. Notably, the rule decrees instruction is to be provided “exclusively in English.” We note that the U.S. has no statutory federal law passed by Congress declaring English as the official language of the United States, and only 77-78% of the population speaks English in their home. If local authorities should have discretion in anything, the language or languages of instruction ought to be one of those areas of local control.

But let’s take it out of the statistics and ideology and instead just imagine for a minute that you are a 3-year-old that speaks only Spanish (as just the most salient example). Suddenly you are away from your mom for the first time, in a classroom where no one will speak to you in a way that you understand. This will not just fail to advance student education; it will plainly hinder it by traumatizing the child. This undermines the whole notion of Head Start. Further, for children with hearing impairments, we wonder as a disability rights advocacy organization if instruction in American Sign Language will be proscribed under this English-only requirement. Quite possibly, and this would disadvantage if not wholly exclude this entire population, contravening the ADA and other civil rights laws.

We are especially concerned about reducing requirements for family and community engagement. Meaningful family engagement is not simply an optional activity or an administrative process. It is fundamental to Head Start’s mission. Families bring essential knowledge about their children,

their culture, strengths, needs, and goals. Strong Federal expectations help ensure that parents are not merely informed about decisions but are genuinely included as partners in their children’s education and development.

While reducing administrative burden and allowing local flexibility are worthwhile goals, these proposed changes go too far and risk weakening the consistent protections, quality standards, and comprehensive supports that children and families depend on. Head Start was created to serve children and families who often face the greatest barriers to opportunity. They deserve strong, consistent standards—not a system where the quality and availability of services can vary significantly depending on where they live. That is why the federal performance standards were put in place, to provide a common foundation across the country while still allowing programs to respond to local needs. Flexibility should not come at the expense of equity, accountability, safety, or quality.

Head Start should not become a program where a child’s access to high-quality services depends on the state or community in which they happen to live and the program offered there. Every child and family deserves the same strong foundation, protection, and opportunity to thrive.

NY’s MAID Implementation Renews Concern

STIC has expressed grave reservations about dangers in the application of Medical Aid in Dying (MAID) protocols, both in general and specifically regarding the population we are dedicated to serving, people with disabilities. The disability population has long experienced systemic discrimination in health-care, housing, education, and broader

social attitudes. MAID, we fear, may set a dangerous precedent by implicitly reinforcing the notion that some lives may be of lesser value than others. This undermines efforts towards equity, inclusion, and equal access to care in general.

People with disabilities are disproportionately vulnerable to coercion and abuse, particularly in settings where they rely on others for care and decision-making. Research and lived experience consistently show that rates of abuse among disabled individuals far exceed those of the general population. In the absence of strong and enforceable safeguards, assisted suicide laws open the door for life-ending decisions to be driven by subtle or overt pressure from caregivers, family members, and/or physicians, or even by financial constraints, rather than for those decisions to be made by the informed, voluntary choice of the individual contemplating this ultimate question.

This concern is not theoretical – it is reflected in real-world data from Oregon, where physician-assisted suicide has been legal since 1997 under a law that closely mirrors the one passed last year in New York. Over twenty-five years of reporting, the percentage of individuals accessing assisted suicide who had private health insurance declined sharply from 65% to just 20%, while reliance on public insurance coverage, Medicare or Medicaid, rose to 80% by 2022. During the same period, the number of individuals citing fear of being a burden to family or caregivers as a reason for seeking assisted death increased from 30% to 46%. It is clear Oregonians are being incentivized towards MAID to avoid the spiraling cost of continuing end-of-life care, and the MAID law will likely inflict that same grim choice on New Yorkers.

In Canada, the situation is more alarming still. Since MAID protocols were established a mere decade ago, it has become the fifth leading cause of death in the nation, tied with cerebrovascular disease (strokes, etc.) and trailing cancer, heart disease, COVID-19, and accidents.

Over five percent of all deaths in Canada were effectuated under MAID in 2025. MAID's evolution in Canada epitomizes the "slippery slope" quality of assisted suicide; intended and promoted at inception as a rare exception to be applied in only the gravest of cases, meeting one's end via MAID became a routine way to die in our neighbor to the north with breathtaking dispatch.

These trends suggest a shift from purely medical motivations toward psychosocial and economic pressures, which disproportionately affect people with disabilities, who more often face the need for high cost, yet largely inaccessible, long-term support services.

At STIC, many of our staff and community members can speak from personal experience about how they or their loved ones have been treated by physicians and healthcare systems as if their lives were less valuable. These are not isolated incidents; they reflect a pervasive, systemic bias that devalues the lives of people with disabilities. Allowing physician-assisted suicide in such an environment compounds the risks, especially when decisions are made under duress, or due to a lack of access to adequate care and support.

In some documented cases, insurance providers have denied coverage for life-sustaining treatment while approving payment for assisted death, further underscoring the ethical risks of introducing this option in systems that already fail to equitably support disabled people.

Mental health screening practices in existing assisted suicide frameworks raise additional concerns. A study published in the *New England Journal of Medicine* found that 20% of Oregon patients who pursued physician-assisted suicide exhibited symptoms of depression. Despite this, data from Oregon shows that psychiatric referrals have dropped significantly—from 28% of cases in the early years of the law to just 1% in 2022. At the

same time, the average length of the doctor-patient relationship prior to prescribing life-ending medication has declined from eighteen weeks in 2010 to just five weeks in 2022.

This raises multiple concerns about whether physicians have sufficient time to understand a patient's full circumstances and assess the true drivers of their request. It also highlights a deeper, systemic issue: the ongoing lack of accessible, adequate mental health services, particularly for people with disabilities and others who already face barriers to care. In this context, legalizing assisted suicide without first addressing the state's mental health and long-term service gaps risks substituting death for the support people are unable to obtain.

This disparate valuation of life that assisted suicide implies has an insidious effect. As noted, assisted suicide purports to be a measure of compassion in only the gravest of terminal cases, where one expects to survive only days or hours longer, suffering until the end. We share in compassion for such people. But at the same time, we observe that everywhere MAID has been made available, the practice rapidly inexorably expands beyond the last hours or days of a patient's life, and comes to include people with non-terminal physical conditions, with mental illnesses or cognitive decline, or even no condition at all beyond depression, old age, general ennui, or a mere desire to avoid the inevitable debility time inflicts on all of us. Put another way, what was intended as a compassionate surrender to an inevitable and impending death evolves into something approaching welcoming death as a liberator.

Given our concerns about the wisdom of the New York legislation in general, we certainly want the regulations attending its application to be as comprehensive and cautious as possible. If (or, as we fear, when) the use of MAID begins its own slide in New York beyond the stated

intent of the legislature, the sooner this becomes clear, the sooner remedial measures can be taken. This is, as literally as can be, life and death. New York recently issued a set of proposed regulations prepared by the State Department of Health to implement the MAID legislation passed and signed by the governor last year for public comment. STIC submitted comments, which we shall recapitulate here.

New York's reporting requirements require the recording of "the terminal illness or condition for which medication for medical aid in dying was prescribed." We believe this is insufficient and unsatisfactory. Some record of the person's reasons for choosing MAID must be included in addition to a mere diagnosis. The patient might be provided with some standardized list of options, but the patient should have some "other" option that provides the opportunity to elaborate and/or offer additional information. Because of the pattern observed elsewhere of the metastasizing tendency of MAID laws, it is critical to have longitudinal data as to how and why MAID is chosen to be able to observe if and how much that pattern is repeating in New York.

According to data collected in Oregon in 2022, the top two reasons doctors reported for issuing lethal prescriptions for assisted suicide are "less able to engage in activities" (88.8%) and "loss of autonomy" (86.3%). These are in accordance with most people's conception of when MAID might be appropriate. But reasons like "loss of dignity," "feeling like a burden," "financial concerns," "unavailability of services, supports, staffing, facilities," or "social isolation" are more troubling. They go beyond strictly medical criteria into realms where better alternatives can be made available. This information can help the State identify systemic barriers that may limit the meaningful choices available to people with disabilities and other serious health conditions.

The enabling legislation for MAID states that patients must be made aware of alternative supports and services. However, the reporting requirements do not include an attestation that patients actually received such information, or if it was made available to them. The reporting requirements must be amended to do so.

Additionally, a full timeline of all events must be included in the reporting requirements. Documenting the five-day waiting period between the MAID prescription being written and filled is insufficient. We must be able to trace how an individual went from raising the issue, to an initial formal request, through the process of receiving counseling and being offered alternatives, to the provision of medication. Any significant changes in an individual's access to services and supports, as well as general life circumstances during that time span, should also be documented. The state needs to record whether decisions are being driven by circumstantial setbacks, loss of services or supports, loss of caregivers, financial exigencies, or some other critical event. Transparency is needed in determining whether choices are driven by medical diagnoses or the absence of resources through which one might maintain independence.

Information about the support network available to the individual must be collected. It is necessary to understand the degree to which a breakdown in family or societal resources is driving people to consider MAID.

Finally, and critically, physician training and disability bias must be addressed. As discussed in our opening comments, people with disabilities are vulnerable to discrimination and bias by people who fail to appreciate that one who receives personal assistance, communicates differently, uses a wheelchair, or relies on home and community-based services may nonetheless have a meaningful and fulfilling life. Disability is not evidence that a person's life may have lesser val-

ue, and that must not be the message implied or received.

Every effort must be made to monitor decisions concerning MAID to ensure that choices made are free, informed, and uncoerced, and that must include the availability of meaningful alternative paths such as home and community-based living. Comprehensive data must be collected on the circumstances surrounding the utilization of the MAID option to be certain our state systems are respecting the ineffable value of all of its citizens' lives and their autonomy in navigating the latter stages of those

lives. It is STIC's belief that the collection of this information will expose the underlying truth that eroding systemic barriers in our health system and improving the provision of health services to New Yorkers are the real solutions to the end-of-life challenges that MAID purports to resolve but in fact evades, and so the Department of Health must revise and extend these proposed regulations to strengthen the physician reporting requirements and mandate the collection of information that will expose any systemic barriers in our health system to improve the provision of services to New Yorkers.

Courts Watch, Fall 2026

Vote-by-mail survives regulatory assault (so far)

The United States Postal Service (USPS) is one of the most venerable institutions in American government. It is one of the few federal agencies explicitly authorized in the U.S. Constitution, in Article 1, Section 8, Clause 7, the "Postal Clause," and has the mission of binding the vast nation and its various states and territories together in communication and commerce while raising revenue for the federal government. As part of the federal government, the U.S. Post Office Department, inevitably political considerations would arise from time to time, but they were more patronage matters than partisan ones, especially once the American frontier was fully settled and the USPS had become fully staffed by the civil service. Delivering mail is a question of competence rather than ideology, and presidents were content to delegate direct management; the Postmaster General position was typically a Cabinet-level sinecure for national party chairmen or presidential *consiglieri*. The direct link of the USPS to the executive branch was severed in 1970 when it was privatized, and since

it has been generally taken for granted as a part of our national infrastructure, albeit one struggling to compete in a deregulated environment where first private parcel carriers like Federal Express and now electronic means of communication like email and internet have marginalized the core purpose of USPS as the commercial and communication sinew of our vast republic.

One realm in which USPS has had growing relevance, however, is as an agent of conducting elections. Vote-by-mail (VBM) was first instituted during the Civil War, when Union troops in the field were given the opportunity to vote in elections back home through the mail. The practice remained infrequent and limited until elections officials in some states, primarily in the West and Upper Midwest, as part of the "good-government" Progressive reforms in vogue in the first half of the twentieth century, began to institute vote-by-mail as a more widely used practice, offering it not as an exception available only under tightly restricted circumstances but just an alternative means of casting a ballot at one's convenience. Usage varied widely between states; New York was one of the states most resistant to adopting the practice, despite other large states such

as California (New York's closest comparison in many ways) having close to half their voters use VBM and a handful switching to VBM near entirely (with a few physical sites opened for special cases). This haphazardness, however, was remedied by the COVID-19 pandemic in 2020, which forced all states to at least temporarily create VBM programs at scale and make it available universally. After the pandemic subsided, VBM was still in place and was liked by at least a substantial cohort of voters in all states, so it appeared to be here to stay. STIC supports access to a VBM option because it is an option which offers easy accessibility and convenience and thus is disproportionately used by people with disabilities.

The Vote-By-Mail system varies state by state, as it should, because states are given full responsibility for the conduct of elections by the Constitution, subject to some light regulation by Congress. "The president has no role" at all, by design; that's in quotations because that precise language has been used in multiple federal and state court rulings addressing the question. Nationwide these various designs have performed exceptionally well in terms of both security – fraud is negligibly rare – and efficiency; there are exceptions, of course. In recent elections California has been exceedingly slow to report election results because their system is poor at counting VBM rapidly; this has caused consternation and diminished confidence in the vote count.

On the security front, a recent congressional election was compromised, using VBM ballots, in North Carolina's 9th Congressional District in 2018. A contractor working for the Republican candidate was running a vote-harvesting campaign, where when legitimately done, the campaign asks voters to complete a VBM ballot in advance of Election Day and then collects it to be sure it is promptly and properly delivered to the Board of Elections. This contrac-

tor, however, instructed canvassers to collect incomplete, unsealed absentee ballots from voters, complete blank ballots by voting for the Republican, alter or discard ballots with votes for the Democrat, and deliver the revised ballots, falsely witnessed, to the boards of elections. The Republican candidate was initially declared the winner by 905 votes.

Now this was fraud, cut and dried, but there is a very important fact of which to take note: The fraud was detected. Indeed, the detection was almost immediate, through basic auditing reviews that detected irregularities in the percentages of absentee ballots unreturned from the precincts in question, and patterns of voting that differed from previous elections to an extent that was statistically close to impossible. Knowing where to look, the authorities interviewed voters who reported the unusual, and in retrospect suspicious, interactions with the campaign workers. Then the workers were interviewed, who promptly reported on the architect of this scheme in exchange for plea bargains. The election was invalidated and a new one scheduled; the original Republican, who had no knowledge of the misconduct, nevertheless declined to run again, citing health concerns, and the replacement Republican candidate defeated the Democratic candidate again in the rerun election. (The contractor who masterminded the scheme died of natural causes before he could be successfully prosecuted.)

We can take a few lessons from this episode. First, fraud is possible; of course it is. Humans are flawed creatures, and when tens of thousands of them are involved in a common exercise, a few are going to misbehave. (Many more will make careless mistakes; treachery is far less common than incompetence. These errors, however, will be close to randomly distributed and can generally be expected to cancel themselves out.) However, fraud of a scale that might af-

fect the outcome of an election will be detected with near certainty.

Second, the fraud was confined to a single congressional district; indeed, just a small part of it. The manpower to do anything like the NC-9 episode on a wider scale simply isn't available, and if it somehow could be assembled, the secret would surely leak with so many people involved.

Third, it seems not to have mattered in the final result – the Republican candidate won the rerun in 2019 by 3,788 votes, a margin over four times greater than the tainted election, acknowledging that there are problems in directly comparing a general election outcome to a special election outcome – turnout in a special election is much lower, to cite only one, and the makeup of the electorates will differ.

The above are well-established facts about VBM. It is safe, secure, legitimate, and has been operating without major incident on a large scale for decades in some states and for several years everywhere. States, learning both from repetition and from other states, have engineered a variety of VBM systems that work for them. Congress has mostly left them alone to manage this as they fit. And "the president has no role."

However...the president does oversee the executive branch, and the USPS is part of the executive branch, even semi-privatized as it is. VBM, by and large, depends on the USPS; voters may hand deliver their VBM ballots, or have a courier (whether family, friend, or some professional or commercial service) deliver their ballot for them, but the whole idea of VBM is to substitute having to go to a particular place on a particular day during particular hours and potentially have to wait in line for voting at home or anywhere else to one's liking any time inside of a window of days or weeks for the price of a first-class stamp. The system is designed for the USPS to be the mail de-

livery channel, and thus the president saw an opening to intervene in the conduct of VBM nationwide.

President Trump harbors (or at least disseminates) wild and entirely unfounded suspicions about VBM, specifically that it can be leveraged to “rig” elections and has been to his disadvantage in every election but especially in the allegedly stolen 2020 election. No evidence has been offered that can support these allegations, in years of investigations and litigation by both the president’s allies and unaffiliated reporters and researchers. Nevertheless, absence of evidence is insufficient to disprove a belief, especially if it is a fundamental tenet of faith for the believer; the wish is father of the thought.

Vote-by-mail, as it currently exists, primarily uses the postal service as the main channel to transport ballots to voters and then to return completed ballots back to the election boards. This is a secure, inexpensive, and familiar method, in which USPS is really only asked to do its job as it always has – deliver mail. States mark the envelopes that are used to send and return ballots, in ways particular to each state, so as to alert USPS personnel that time-sensitive materials – votes in an election finalizing on a date certain – are enclosed. These markings often include barcodes or other machine-readable marking to assist in processing the vote, recording that some individual voter has returned a ballot and may not cast another. It should be noted here that to preserve the secrecy of a voter’s ballot, any identifying information is only included in and on the outside envelope; ballots with vote choices are included within a second envelope with no markings indicating who the voter is. A given ballot can, at most, be traced to the precinct in which the voter is registered; these precincts usually have several hundred or even a few thousand registrants. Systems differ between and often within states, and the information on those mutually exclu-

sive barcode systems, linked to voter rolls, are kept securely by the election agencies of the various states. The federal government is not even supposed to have voter rolls, although that restriction has been relaxed since the passage of the Help America Vote Act of 2003 and the creation of the Election Assistance Commission.

The plan the USPS sought to put into place would make USPS not just a transmission belt for voting, but an engine. All ballots sent to voters would be in a nation-wide standard envelope marked “Official Election Ballot” that will be automation-compatible and will include a unique Intelligent Mail (IM) barcode to facilitate tracking. The USPS, under the direction of the executive branch, will create these IM barcodes, which will be used to identify every ballot sent to every voter, from a list that the states must provide to the USPS. No voter not included on these lists may vote by mail in that election. The barcodes will presumably be proprietary to the USPS, which means only they and those to which they release the coding methodology can read them. Any suspected unlawful use of the mail regarding election materials will be investigated by the USPS itself, as well as the USPS Office of the Inspector General and the Department of Justice. The implementation of this design will fall to the Secretary of Homeland Security, the Secretary of Commerce, the Postmaster General, and the Commissioner of the Social Security Administration – hey, wait a minute, what does Social Security have to do with voting?

States use Social Security numbers (SSNs) as an identifier when citizens register to vote – but typically only the last four digits. The dangers to personal privacy and security that come from exposure of one’s full SSN are well known. Yet, not only will the USPS under this proposal be creating an unconstitutional national voter registration list, it seems they intend to verify vot-

er eligibility by linking those data with Social Security information, linking the voter registration list – including all fifty states, the federal district, Puerto Rico, and all overseas territories – to all the information a Social Security number can unlock. Creating a database like this, which until now quite purposely has not been assembled, risks a data breach so catastrophic it will represent a clear, significant threat to national security.

They sought to collect voter rolls from state election boards that would indicate which registrants had requested a mail ballot and then wanted to cross-reference the voters requesting the mail ballots with this newly created database to try to detect any non-citizens seeking to vote. Their procedure was to be that any discrepancy detected – not only citizenship, but variances in addresses caused by people moving, name changes initiated by marriages, adoptions, etc., even something as trivial as the use of a middle initial or suffix (Jr., III, etc.) in one place where it is absent in another – would result in non-delivery of not just that ballot, but of the ballot of every registered voter seeking to vote by mail in the segment of the mailing list that included the discrepancy. Hundreds of people who expected to vote by mail would be inconvenienced at best, disenfranchised at worst, because, for example, one list included one record of someone living in Apt. 1B, while the other had the apartment number as 1-B. (Experts in database management unanimously report that false-positive discrepancies of this sort are inevitable, common, and generally easily explicable.)

The danger of massive voter fraud creating “rigged” elections that is the ostensible justification for this outrageous intervention in state-run elections by the federal government via the USPS, as explained above, does not exist now, but if this proposed rule or something like it were to be implemented, it will create the very danger it purports to prevent.

It would still be very difficult to significantly impact the outcome of an election, but this scheme provides a path to do it. Moreso, even if an election can't be successfully rigged, one could cause enough chaos to lower confidence that the election was conducted fairly and to delegitimize the election results.

The executive branch, via the USPS, would in fact possess the ability to track every ballot cast by every citizen using mail voting, and would have access to that information and to the ballots themselves, apparently untrammelled by any oversight structure beyond the honor system of the supervising officials. Further, they would be empowered to withhold ballots from voters as they saw fit. This, impossible under our existing decentralized federalist system, would provide the means for a bad actor to add, divert or alter ballots in a fashion that may well be difficult to detect and would regardless likely be irresolvable even if detected, save invalidating the election and holding another. For a congressional election that is unfortunate, as seen in NC-9 in 2018; for a presidential election, it would be close to impossible, and would be destabilizing to the United States and indeed the world to an unthinkable degree.

There has been a furious maelstrom of litigation regarding these efforts by the executive branch, mostly centered in Massachusetts, with primarily U.S. District Court Judge Indira Talwani bravely standing against the full might of the administration, issuing stays and restraining orders against the fusillade of executive orders and proposed governing rules trying from every angle imaginable to insert itself into a process in which, again, it has no constitutional role. All of these stays were appealed, with mere layovers at the First Circuit Court of Appeals before landing on the expedited docket of the U.S. Supreme Court.

Once some procedural hurdles of standing and ripeness were overcome, the

Supreme Court in September ultimately disallowed the USPS from interposing itself in the 2026 election as they wished, ruling that it would be too disruptive to the conduct of the elections to implement the new scheme so close to Election Day. Voting by mail, then, remains relatively secure for the present. However, the question of whether the Administration might seek to institute such a system again in the future was left unresolved. And, some of the other executive orders and initiatives relating to the elections have either passed judicial muster or are not subject to it. Other lists are being compiled through Homeland Security to be compared against voter rolls looking for non-citizens.

Options to cast in-person provisional ballots on Election Day in case of delivery delays of VBM ballots have been disallowed in Wisconsin. Suits have been filed in Georgia to disallow some ballot-return sites, making it more difficult to get a completed ballot into a ballot box. And, nationwide, USPS has instituted new cost-cutting measures that will slow not just mail delivery in general by approximately 24-72 hours but will postpone the postmarking of mail by at least one day in much of the nation. Postmarks in most states determine whether a VBM ballot delivered by USPS was sent in time; a delay could cause ballots cast close to Election Day to be disallowed and uncounted. The security and integrity of election administration in the United States will remain a concern in the immediate future, a relatively small one, but still to a greater degree than we have experienced in the United States at least since the passage of the Voting Rights Act of 1965; we must and shall remain vigilant.

STIC does not anticipate major disruptions to VBM to be likely in New York State. Our guidance is that one may vote in-person on Election Day at their assigned polling place, in-person before Election Day at an Early Voting Site, or vote by mail, and be confident your vote

will be counted. New Yorkers can go to elections.ny.gov to find information, including links to your county board of elections to confirm your registration, apply for an absentee ballot, find poll locations and early voting sites, and more.

However, if one chooses to vote by mail, in New York or anywhere else, we advise one to complete their ballot at their earliest opportunity and return the ballot in the mail as far in advance of Election Day as possible, due to potential delays anticipated in USPS services. If it's close to Election Day, within a week, it is worth considering taking your completed ballot to an Early Voting Site as an alternative to USPS, or to one's assigned polling place on Election Day itself; that somewhat defeats the purpose of VBM, we concede, but with the ballot completed in advance one should avoid any lengthy wait in line and get in and out within a few minutes. Note that a friend, family member, or anyone you trust may deliver your VBM ballot directly to a polling place or other drop site on your behalf.

Kudos to Broome County and USPS

By Sue Hoyt

The STIC Accessibility Committee would like to recognize **Broome County** for the installation of new sidewalks and ADA-compliant curb cuts in front of the Broome County Forum. These improvements provide safer, easier access to the venue for people of all abilities, making community events more accessible to everyone.

Thank you, Broome County, for your commitment to accessibility and inclusion!

The STIC Accessibility Committee would also like to recognize the **United States Postal Service (USPS) – Henry Street Post Office in Binghamton** for

correcting the accessible parking spaces by re-striping the parking lot so that the parking spaces and access aisles now meet New York State's required 8-foot width. These improvements help ensure that people of all abilities can safely and independently access postal services.

Thank you, USPS, for your commitment to improving accessibility for the community!

Aging Consumer Directed Services (ACDS)

By Sue Hoyt

Aging Consumer Directed Services (ACDS) is a grant-funded program through the New York State Office for the Aging (NYSOFA) that serves adults 60 years of age and older. The program empowers eligible individuals to remain independent by allowing them to direct their own care while continuing to live in their homes.

ACDS allows consumers to direct their own care. They recruit, hire, train, supervise, schedule, and, when necessary, terminate their own Personal Assistants (PAs). Consumers may choose to hire friends, family members (excluding a spouse or their Power of Attorney), neighbors, or any other individual who is at least 18 years of age and eligible to work.

If a consumer is unable to direct their own care, they may appoint a Consumer Representative (CR) to manage these responsibilities on their behalf.

There is more than one type of ACDS program. If you are interested in learning more about in-home services such as Expanded In-Home Services for the Elderly Program (EISEP) or Respite Services, please contact your local Office for the Aging to discuss available programs and determine

your eligibility.

How the Program Works:

ACDS services are authorized through the local Office for Aging (OFA). Southern Tier Independence Center (STIC) serves as the Fiscal Intermediary (FI) for ACDS under contracts with:

- Broome County Office for Aging
- Tioga Opportunities Department of Aging
- Chenango County Area Agency on Aging

As the Fiscal Intermediary, STIC:

- Conducts intake appointments with consumers to enroll them into the program.
- Conducts Personal Assistants enrollment into the program.
- Conducts required home visits and ongoing consumer follow-up.
- Processes payroll and employee benefits for PAs.
- Provides required state-mandated training for PAs.
- Offers ongoing support to consumers, CRs, and PAs throughout their participation in the program.

Becoming a Personal Assistant:

Once a consumer or Consumer Representative selects a Personal Assistant (PA), the following steps must be completed before the PA may begin working.

- **Step 1: Submit Paperwork** - The PA must submit a completed Personal Assistant Information Form (PAIF) to STIC's Consumer Directed Services Department. The form must be signed by both the consumer (or Consumer Representative) and the Personal Assistant.
- **Step 2 - Complete Initial Medical Requirements**
 - Physical examination
 - Tuberculosis (TB) test
 - Tuberculosis Risk Assessment (TBRA)
 - Proof of two MMR vaccinations or Rubella and Rubeola titers

- Health Attestation

• Step 3 - Attend Enrollment Session

- After all required medical documentation has been received, the PA will attend a three-hour enrollment session, where they will:
 - Learn about the ACDS program, policies, and regulations.
 - Complete payroll and employment paperwork.
 - Review available employee benefits.
 - Learn how to use the Electronic Visit Verification (EVV) system to clock in and out.
 - Complete all required state-mandated training.

Once all enrollment requirements, medical documentation, and required training have been successfully completed, a member of STIC's Consumer Directed Services Department will notify both the PA and the consumer (or CR) that services may begin.

We're Here to Help

Contact our Consumer Directed Services Department to learn more about ACDS and whether the program is right for you.

DID YOU KNOW?

ACDS GIVES OLDER ADULTS THE OPPORTUNITY TO CHOOSE THE PERSON WHO PROVIDES THEIR CARE, HELPING THEM TO MAINTAIN INDEPENDENCE WHILE REMAINING IN THE COMFORT OF THEIR OWN HOME.

The TR Aid program now has an inventory on the STIC website!

TR Aid provides medical equipment for individuals with disabilities.
Scan the QR Code to link directly to the site!

Call Lucas Stone (607)-724-2111 @ EXT. 359 for any other questions



Celebrating Disability Pride Month at STIC

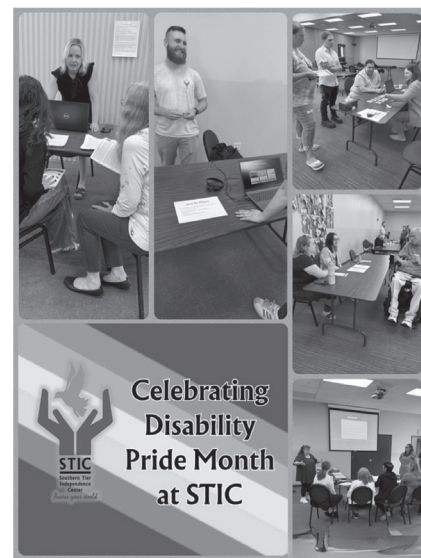
At STIC, Disability Pride Month is more than a celebration. It's a reminder of why our work matters every day.

In July, STIC staff came together to recognize the history of the disability rights movement and reflect on the ongoing work of continuing to create communities where everyone belongs. Disability Pride Month is about embracing disability as a natural part of human diversity and recognizing that people with disabilities deserve the same opportunities, respect, and access as anyone else.

This year's celebration we implemented an ADA in Action initiative for our staff.

More than 35 years after the Americans with Disabilities Act (ADA) was signed into law, it continues to share communities. The ADA wasn't the end of disability rights advocacy, it was the beginning. It's realizing that accessibility is about more than buildings and curb cuts, it's about making sure everyone feels welcome, and able to participate.

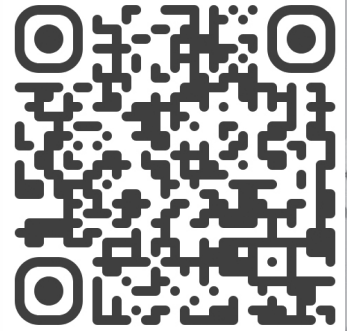
ADA in Action is just getting started. Staff came together and learned about disability history, accessibility, assistive technology, inclusive communication, and the everyday actions that can make a big difference. Throughout the coming year, staff will continue to explore new topics, participate in hands-on activities, and find practical ways to put the principles of the ADA into action every day.



Alt text: A collage of photos from STIC's ADA in Action launch held during Disability Pride Month. The images show staff and participants engaged in interactive learning discussions, small group discussions, and educational activities about disability rights and the Americans with Disabilities Act (ADA). One photo features a staff member presenting at the front of the room, while others show employees and community members gathered around tables participating in hands-on activities. A central graphic reads, "Celebrating Disability Pride Month at STIC," alongside the STIC logo on a colorful Disability Pride flag background.

MARK YOUR CALENDAR

STIC'S ANNUAL HOLIDAY CRAFT FAIR IS COMING NOVEMBER 7, 2026



WE'RE HIRING



EXPLORE OUR CURRENT OPENINGS
ON OUR CAREERS PAGE AND FIND A
ROLE THAT'S RIGHT FOR YOU.

email us your resume at
apply@stic-cil.org

Looking for a career where you can make a difference?

Southern Tier Independence Center (STIC) is hiring for a variety of full-time and part-time positions across multiple programs.

Whether you're interested in direct support, counseling, housing, outreach, care coordination, or other opportunities, we'd love to hear from you.

Explore our current openings on our Careers page and find a role that's right for you.

Send your resume to apply@stic-cil.org to apply.

Join a team that's empowering people with disabilities to live independently and fully participate in their communities.

SUCCESSFUL AGING

Foster Grandparent Program

Support children as a classroom mentor in local elementary schools, daycare centers and Head Start. To be eligible you must be 55+ with monthly income under \$2,660 after allowable deductions. Higher income levels apply for larger households. Foster Grandparents receive a paid hourly stipend, mileage, ongoing paid training, paid time off and meals at their sites.



**We are currently enrolling
new Foster Grandparents.**

**Call 607-778-2089
for more information.**

You can also learn more about the program by visiting:
www.gobroomecounty.com/senior



AmeriCorps | Broome County
Office for Aging





**AmeriCorps
Seniors**

Foster Grandparent Program of Broome County
Supporting Children in Classrooms

BROOME COUNTY FOSTER GRANDPARENT PROGRAM

What is the Foster Grandparent Program?

The Foster Grandparent Program (FGP) is a senior volunteer program through AmeriCorps. FGP began as a federal program in 1965 and has served Broome County over 50 years. The mission of the Foster Grandparent Program is to match older adults (55+) with children in schools, Head Start programs and childcare centers who have a special need for one-on-one attention and support or who are deemed to be “at-risk” due to circumstances such as neglect, poverty, etc.

The Broome County Office for Aging sponsors the Foster Grandparent Program that is funded through federal, state and local sources. To qualify for the program, individuals must be income eligible. All volunteers receive a small stipend, which is currently \$4.00 per hour. The stipend is determined by the federal government and is not considered income for any purpose – so volunteers are not at risk of losing any benefits due to their service.

Foster Grandparents serve 10-40 hours per week and enable children to improve their physical, mental, emotional, and social development, which helps them reach their maximum potential. We strive to provide rewarding volunteer opportunities for our Foster Grandparents that make a measurable difference with the students they serve. *None of this would be possible without the support of our community partners and teachers like you!*

What are Foster Grandparents allowed to do?

They CAN ...

- Read to/with children
- Help with classroom assignments
- Model manners and behavior
- Play games, help with crafts
- Support and encourage
- Work one-on-one / small groups
- Help prepare lessons and activities
- Attend class fieldtrips if desired/able
- Help tie shoes, assist with coats/boots
- Rock little ones/soothe during naptime

They CAN'T ...

Be left alone with the students

- Discipline the children (may redirect)
- Be counted in staffing ratios or act as a sub
- Regularly assist with filing, copying, etc.
- Go into the bathrooms with the children
- Help with dressing/toileting/changing diapers
- Lift or move any heavy objects
- Work in the kitchen or be a lunchroom aide
- Clean the classroom (may wipe tables)
- Be assigned to children with *severe* behaviors (i.e., physically aggressive)

Is there work involved in having a Foster Grandparent?

Yes—However, the benefits you and your class will receive from having extra help should far outweigh the effort you put into having a good volunteer in your classroom. Foster Grandparents and teachers have different personalities and experiences, but can work together for the benefit of students!

What type of “paperwork” is required?

Because our program is grant funded, we do have some minimal “paperwork” that will be emailed or delivered to you. We are required to collect certain information each school year, in order to evaluate the impact that Foster Grandparents have on the community. Some of this information helps us better understand the population served, and some of it helps us measure academic outcomes. All of the information collected is *essential* to our Program’s functioning and its funding. The forms typically take no longer than 10 minutes each to complete, and your time spent on them is greatly appreciated!

Child Assignment Plan: At the beginning of each school year, this form identifies the number of children (minimum of 2) that will be served by the FG. You decide which students to track, and you decide on the goals for each student. You will only identify the children by first name or initials, and no specific child will ever be identified in grant reports. You will review the plan with your FG to ensure understanding, then you will both sign it.

Volunteer Assignment Plan: Provided to you for completion when the volunteer starts. It clarifies activities and their frequency each volunteer will perform with the children to assigned to him/her.

Year End Assessment & Performance Evaluation: At the end of the school year, based upon your assessments, you will report on whether the assigned students showed improvement. You will also report on your volunteer’s overall performance and indicate whether you would like to work with him/her again. This form is submitted directly to the FGP Director by the teacher.

Contact Info:

Robin Alexander
FGP Field Supervisor

Broome County Office for Aging

Email: robin.alexander@broomecountyny.gov

Phone: 607-778-2089

Fax: 607-778-2316

Broome County
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Aging** 
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This newsletter is also available online, at:
<https://stic-cil.org/index.php/accessability/>

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If you would like to support STIC, please visit <https://stic-cil.org/index.php/donate/>. Alternately, you may clip this form and send a personal check or money order by U.S. Mail.

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**135 E. Frederick St.
Binghamton, NY 13904**

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Phone _____

All donations are tax-deductible. Contributions ensure that STIC can continue to promote and support the needs, abilities, and concerns of people with disabilities. Your gift will be appropriately acknowledged. Please make checks payable to Southern Tier Independence Center, Inc.

THANK YOU!

Southern Tier Independence Center

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