

New Horizons

Housing That Supports Independence



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Feds Reach 'Landmark Agreement' On Rights Of Parents With Disabilities

By Michelle Diamant | Reprinted from Disability Scoop December 1, 2020

In a first-of-its-kind settlement, the U.S. Departments of Justice and Health and Human Services say that a state has agreed to change its ways after repeatedly discriminating against parents with disabilities.

Under the agreement reached in late November, the Massachusetts Department of Children and Families "will not base decisions about removal of a child on stereotypes or generalizations about persons with disabilities, or on a parent's disability, diagnosis or intelligence measures (e.g., IQ scores) alone."

Rather, the state will make decisions based on an individualized assessment. Even in cases where a child is removed from a parent with a disability, the parent should be allowed to participate in services provided by the state agency "unless the parent poses a direct threat to the health or safety of others," the document indicates.

The settlement, which federal officials are calling a "landmark agreement," is the Justice Department's first to address disability discrimination by a state child welfare agency and it could have national implications. "We believe this agreement will not only help thousands of families in Massachusetts, but also will provide a roadmap for child welfare agencies nationwide on how to treat parents with disabilities with the fairness, dignity and respect that they deserve," said Eric Dreiband, assistant attorney general of the Justice Department's Civil Rights Division.

The move comes five years after the Departments of Justice and Health and Human Services determined that the Massachusetts Department of Children and Families discriminated against a mother with intellectual disability when her newborn was removed from her and officials sought to terminate her parental rights based on assumptions about her capabilities.

Federal officials said they subsequently received numerous similar complaints against the Massachusetts agency from parents with physical, hearing, developmental and other types of disabilities. In addition, families alleged that the state denied requests for reasonable modifications and failed to provide equal access to programs and services.

The Justice Department said that it investigated and substantiated many of the claims. "The stakes are never higher than when a parent faces the possibility of losing a child," Dreiband said. "While child welfare agencies are faced with challenging and weighty decisions on a daily basis, they must always strive to ensure that no child is removed from a parent on the basis of unsupported stereotypes, discriminatory attitudes or other unlawful reasons. This agreement will ensure that parents with disabilities are treated as individuals, and that they receive the supports and services they need to have an equal opportunity to retain or regain custody of their children."

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“My Two Cents”

By Tim Doherty, Executive Director



So, as I write these words, it is Thanksgiving Weekend, and I am suffering from the guilt of eating too much this year. Even with only our immediate family present...the five of us...it was good to get together to enjoy each other's company. My brother and sister-in-law, called in via ZOOM as did my son's friends from Florida, Lauren and Zack. It was good to hear their voices and to see them, albeit from a small iPad screen. This year, 2020 may be remembered for the canceling of programs, and of wearing masks and social distancing, but also for the obstacles that were overcome, much more than what we were not able to do. All in all, still many things to be thankful for.

Certainly, as I look back on this year, and most of last year, our Project Freedom team and managers were very busy, finishing the construction of our West Windsor site, as well as following up with our Gibbsboro project. Although West Windsor was started prior to our Gibbsboro site, the rains of 2019 delayed most of that construction for almost an entire year, so as to catch up with the construction schedule for Gibbsboro. It is hard enough bringing in one of these projects let alone, two at the same time.

BE that as it may, our staff did an excellent job in leasing up both sites, in record time. Even with COVID-19 disrupting everything this year, our PFI team was able to lease up all 72 units in Gibbsboro, as well as hire staff to run the operation there. We held monthly, then weekly lease up meetings to talk about applicants and to keep on top of the progress. It finally paid off when the last tenant signed their lease in early July.

Also in 2019, we broke ground for our Robbinsville site construction which is due to finish in the first quarter of 2021. This project has been going much smoother than West Windsor, however has still felt the effects of Covid-19 virus. Our cement contractor had his entire crew be exposed to the virus, which necessitated them quarantining for fourteen days, so no cement work got done during that time. In addition, we have struggled in getting windows and appliances for this project, which has given me a few more grey hairs. It is only within the last few weeks have we gotten all required windows, and have also received the appliances for the first building. Now that those issues have been overcome, it looks more likely that we will be able to meet our schedule for final CO's.

This year we have also had to be creative about scheduling staff for office and maintenance work. No longer can we have two people working in the same apartment at close proximity to each other, so getting to turn apartments over and going into tenant apartments has been more difficult this year. But we have managed to keep on track and keep everyone safe.

Finally, although this year, we will not be able to hold our staff Christmas Party, we still hope to ZOOM together to share some fun, and wish everyone a Merry Christmas. Knowing that a vaccination is around the corner, gives us hope that 2021 will be a much better year. So, here's wishing everyone a safe Merry Christmas.



From Norman's Desk

"True freedom is to have power over oneself for everything," wrote French philosopher Michel de Montaigne in 1588. For 36 years Project Freedom has implemented this concept for people with disabilities through our housing and advocacy. This happens through the generous support of friends and contributors during bad times and good times.

This past year was probably the most challenging of Project Freedom's history. It has been the opposite of freedom and independence and optimism. It has been dark and foreboding and a bit scary.

Yet through it all the glimmer of light from the flame of hope never went out. Our tenants—especially those with disabilities--proved their resilience and strength every day as they dealt with the lockdown. We learned how to help each other stay healthy and safe as we fought off loneliness and isolation through technology.

Project Freedom moved forward with opening two new complexes, constructing a third, moving forward on a fourth in pre-construction and a fifth in active planning. All the while, supporting the most vulnerable tenants with donated food and information resources. Project Freedom's impact never wavered. Our advocacy never ceased.

With your help, our impact will be greater in the next years as we continue promote freedom through independent living when the COVID-19 virus is conquered. This is the season for giving, and if you are so inclined to give to Project Freedom, it is not too late to become a 2020 Supporter! Your gift will be appreciated and acknowledged by yours truly.

Project Freedom is also an AmazonSmile charity, and you may select us if you participate in that program as you buy gifts. Go to smile.amazon.com/ch/22-2532804 and Amazon donates to Project Freedom Inc.

Meanwhile, I hope all of my readers have wonderful and joyous holidays, receive the gift of peace and love, and have the companionship of those dearest to you.

Norman A. Smith,
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Autism Resulted In His Rights Being Stripped Away. He Just Won Them Back

By Carli Teproff, Reprinted from The Miami Herald/TNS | November 20, 2020

MIAMI — Tyler Borjas will now be able to vote, buy a house or travel when he wants.

That's because a judge agreed earlier this month that Borjas, 25, who was diagnosed with autism as a child, is capable of making his own decisions.

"(It) was amazing," Borjas said of the virtual hearing. "It's all about me getting my rights back." Last week, a judge terminated guardianship — which essentially stripped Borjas of his rights by deeming him incapacitated — and allowed him to use a less restrictive alternative known as supported decision-making. He is believed to be only the second person in the state to get guardianship terminated through this manner.

Supported decision-making allows adults with disabilities to make important decisions with assistance. In his case, his mother, Kelly Bain-Borjas, and two sisters, Hayley and Jade, will be his support team.

In August, Viviana Bonilla López, an attorney working with Disability Rights Florida, an advocacy group, turned to the court to ask a judge to give Borjas his rights back.

"We are so excited for Tyler's big win," she said. "This case is so important in demonstrating that supported decision-making is a viable alternative to guardianship," she said.

Borjas' mom said a few years ago she was forced to put her son in guardianship, the result of a personal injury lawsuit filed on his behalf. She said she always encouraged her son to be independent and the guardianship did the exact opposite. In fact, when he was placed under guardianship, he had a job, his own bank account and got around by himself using Uber and Metrorail.

Borjas said now that he has his rights back he wants to get a driver's license, get married, travel and buy a house.

Bonilla López, an Equal Justice Works Fellow working with Disability Rights Florida, took on Borjas' case as part of her project sponsored by the Florida Bar Foundation, which is focused on expanding the use of supported decision-making as an alternative to guardianship.

She is now on a mission to educate people about supported decision-making as a substitute for guardianship. She is even working on legislation that could require supported decision-making to be considered.

"We plan to continue to bring cases like Tyler's to the courts," Bonilla López said. "We are hoping Tyler's will be the first of many like this — not only in Miami-Dade, but in Florida."

Company Turns Dog Treats Into Jobs, Futures For Young People With Special Needs

By Catherine Roberts / reprinted from Star Tribune/TNS | November 3, 2020

MINNEAPOLIS — Finley's Barkery, like many thoroughly 21st century businesses, started with a social mission: employing adults with special needs. Named after the owners' dog, Finley's — which manufactures dog treats — grew through social media, gaining a huge boost when actor-entrepreneur

Ashton Kutcher shared one of the company's posts.

Back in 2010, Angie Gallus started making dog treats with her special education students at Chaska High School, mixing oats and other ingredients together. It was a fun activity that also taught the students how to follow directions and develop life and social skills. The treats were shared at events and with friends. The baking became a favorite lesson for her students from year to year.

In 2016, two of Angie's former students reached out on social media, asking her when they could bake the treats again. On Valentine's Day 2016, Angie and her then-boyfriend Kyle, also a special education teacher, gathered with former students and baked. "When they left that day, I realized this was like getting back on a bike, but also that (the former students) had lost some skills," Angie said. Some of the students also shared how, having aged out of the education system, they were having trouble finding jobs. "They had so much potential," she said. "So we decided we needed to do something about it."

The plan was to find a commercial kitchen that June. After a post in March drew many requests for the dog treats, they moved the date up. They started meeting a few evenings a week with six former students to make the dog biscuits. They started calling the treats Finley's and marketing them at farmers markets and brewery events.

After sharing a video about the venture on social media — the post that actor Kutcher picked up and shared — they saw an immediate spike in orders. From baking two days a week, they began working 4 to 8 p.m. every day, then 4 to 10 p.m., then 4 to midnight, throughout the next year. "It was not sustainable," said Kyle, who left teaching in 2018 to concentrate full-time on the business.

The couple decided to outsource manufacturing of the dog biscuits to meet demand, said Angie, who continued both teaching and working at the business until 2019. "So we had to think, 'How are we going to pivot and still provide jobs for our ambassadors?'" she said of the young adults with disabilities. They didn't want the jobs to be in the warehouse. They wanted their workers to be out in the community at events and store demos, improving their social skills and confidence with jobs that could support them or at least contribute toward their independence.

A huge boost came when Lunds & Byerlys and Chuck & Don's offered them contracts. "They took a chance on us," Kyle said, noting that the employees and managers at the two companies started to know the Finley's ambassadors by name. With all the time the Galluses were spending together, Angie's two children from a previous marriage pointed out that the two might as well get married, which they did in 2018. The company grew as their relationship did. They developed a curriculum for training employees, much like they did when they were teaching. They continued to reach out to merchants, farmers markets and other places where they could sell the dog treats.

As the company has grown, so have job opportunities. Camille Nelson, who has autism, started with basic tasks for Finley's and was then promoted to a sales job. Earlier in October, she and Angie made several Chuck & Don's calls, getting feedback, checking on product placement and suggesting display options. Nelson, 20, loves animals. But she was having a hard time finding steady work after aging out of the Minnetonka schools. Her stepmother and sister suggested applying at Finley's. "I did not think I would get this job," Nelson said. "These two are like family to me."

Most people take for granted that they have to work, said Katey Nelson, Camille's sister and development director at Best Buddies in Minnesota, an organization that pairs adults with disabilities with employers and provides support networks. But about 80% of people 18 or older with developmental disabilities are not employed in the traditional job market, she said. "That's an untapped talent pool wanting to be included," she said.

Best Buddies and others help employers modify training — much like the Galluses did with Finley's — so that more firms will take a chance on people with disabilities. "Progress is being made," Katey Nelson said. "To continue growing in this space, it's really important to shift the narrative." She noted that Best Buddies has a slew of statistics on how people with disabilities can help a business, from inclusion to loyalty. Company sales at Finley's this year will be double last year's, with over 100,000 bags of treats sold, Kyle Gallus said.

The company currently employs 20 ambassadors full- or part-time. The founders would like that number to triple eventually and increase the number of stores where Finley's treats are sold from the current 400 to more than 1,200 over the next few years.

They had two interns from the Bethel University BUILD program, which is an inclusive college certificate program for young adults with disabilities. With that success, Finley's hopes to partner with similar programs in other cities as it builds geographic reach, Angie Gallus said.

Like many small businesses, Finley's hit a wall in March with the arrival of the coronavirus pandemic and stay-at-home restrictions. With no in-store or event demonstrations to do, the Galluses quickly developed presentations for online retailers. Some ambassadors put personal touches on orders through ideas such as thank-you notes.

The efforts have paid off. In the spring, they added Chewy.com to their client list. In September, Target signed on as an online vendor.

The Galluses are awaiting word from another national pet chain. One of their ambassadors took a big role in that pitch, the first time a person with disabilities had ever presented to the company, Kyle said.

"It is really humbling to be able to sit here and say that," he said. "We hope there can be many, many more opportunities like that."

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