

RSA-2207 – Annual Client Assistance Program (CAP) Report

State: Virginia

Fiscal Year: 2014

Designated Agency Identification

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Operating Agency (if different from designated agency)

Name:	Not Applicable
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State:	
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E-mail Address:	
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Additional Information

Name of CAP Director/Coordinator:	Colleen Miller, Executive Director
Person to contact regarding report:	Robert Gray
Contact Person Phone:	(804) 225-2042

Part I: Agency Workload Data

A. Information and Referral Services (I&R) (Multiple responses not permitted)

1. Information regarding the Rehabilitation Act	40
2. Information regarding Title I of the ADA	57
3. Other information provided	17
4. Total I&R services provided (Lines A1+A2+A3)	114
5. Individuals attending trainings by CAP staff (approximate)	344

B. Individuals served (An individual is counted only once during a fiscal year. Multiple counts are not permitted for Lines B1-B3.)

1. Individuals who are still being served as of October 1 (carryover from prior year)	6
2. Additional individuals who were served during the year	57
3. Total individuals served (Lines B1+B2)	63
4. Individuals (from Line B3) who had multiple case files opened/closed this year. (In unusual situations, an individual may have more than one case file opened/closed during a fiscal year. This number is not added to the total in Line B3 above.)	4

C. Individual still being served as of September 30

Carryover to next year. This total may not exceed Line I.B3.	9
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D. Reasons for closing individuals' case files (Choose one primary reason for closing each case file. There may be more case files than the total number of individuals served to account for those unusual situations, referred to in Line I.B4, when an individual had multiple case files closed during the year.)

1. All issues resolved in individual's favor	27
2. Some issues resolved in individual's favor (when there are multiple issues)	22
3. CAP determines VR agency position/decision was appropriate for the individual	2
4. Individual's case lacks legal merit; (inappropriate for CAP intervention)	1
5. Individual chose alternative representation	1
6. Individual decided not to pursue resolution	4
7. Appeals were unsuccessful	
8. CAP services not needed due to individual's death, relocation, etc.	1
9. Individual refused to cooperate with CAP	
10. CAP unable to take case due to lack of resources	
11. Other (Please explain on separate sheet)	0

E. Results achieved for individuals

1. Controlling law/policy explained to individual	23
2. Application for services completed	3

3. Eligibility determination expedited	
4. Individual participated in evaluation	
5. IPE developed/implemented	2
6. Communication re-established between individual and other party	9
7. Individual assigned to new counselor/office	6
8. Alternative resources identified for individual	6
9. ADA/504/EEO/OCR complaint made	
10. Other-	9
11. Other (Please explain):	

Part II. Program Data

A. Age

1. 21 and under	9
2. 22 – 40	20
3. 41 – 64	29
4. 65 and over	5
5. Total (Sum of Lines A1 through A4. Total must equal Line I. B3.)	63

B. Gender

1. Females	27
2. Males	36
3. Total (Lines B1+B2. Total must equal Line I.B3.)	63

C. Race/Ethnicity

1. Hispanic or Latino	3
<i>For individuals who are non-Hispanic/Latino only</i>	
2. American Indian or Alaskan Native	
3. Asian	
4. Black or African American	31
5. Native Hawaiian or Other Pacific Islander	
6. White	29
7. Two or more races	
8. Race/ethnicity unknown	

D. Primary disabling condition of individuals served

1. Blindness (both eyes)	4
2. Other visual impairments	2
3. Deafness	4
4. Hard of hearing	1
5. Deaf-blind	
6. Orthopedic impairments	2
7. Absence of extremities	
8. Mental illness	17
9. Substance abuse (alcohol or drugs)	
10. Mental retardation	8
11. Specific learning disabilities (SLD)	6
12. Neurological disorders	6
13. Respiratory disorders	1
14. Heart and other circulatory conditions	3

15. Digestive disorders	
16. Genitourinary conditions	
17. Speech impairments	1
18. AIDS/HIV positive	1
19. Traumatic brain injury (TBI)	3
20. All other disabilities - ADD/ADHD – 1 Other - 3	4
21. Disabilities not known	
22. Total (Sum of Lines D1 through D21. Total must equal Line I. B3.)	63

E. Types of individuals served

1. Applicants of VR Program	8
2. Clients of VR Program	51
3. Applicants or clients of IL Program	
4. Applicants or clients of other programs and projects funded under the Act	5

F. Source of individual's concern

1. VR agency only	46
2. Other Rehabilitation Act sources only	2
3. Both VR agency and other Rehabilitation Act sources	9
4. Employer	7

G. Problem areas

1. Individual requests information	5
2. Communication problems between individual and counselor	8
3. Conflict about services to be provided	38
4. Related to application/eligibility process	7
5. Related to IPE development/implementation	1
6. Other Rehabilitation Act-related problems	2
7. Non-Rehabilitation Act related	
8. Related to Title I of the ADA	6

H. Types of CAP services provided

1. Information/referral	19
2. Advisory/interpretational	18
3. Negotiation	18
4. Administrative/informal review	3
5. Alternative dispute resolution	
6. Formal appeal/fair hearing	
7. Legal remedy	
8. Transportation	

PART III. Narrative

a. Type of agency used to administer CAP:

External – Protection & Advocacy.

b. Sources of funds

Source of funding	Amount Received	Amount Spent
Federal funds	264,336	1,814
State funds	-	-
Program Income	-	-
Private	-	-
All other funds (carryover)	209,247	209,247
Total from all sources	473,583	211,061

c. Budget for current and following fiscal years

Category	Current Fiscal Year FY14	Next Fiscal Year FY15
Wages & Salaries	193,058	252,890
Fringe Benefits (FICA, unemployment, etc.)	63,554	67,978
Materials/Supplies	466	880
Postage	583	385
Telephone/Internet	1000	2,200
Organization memberships/Subscription	1,748	10,000
Travel	7,573	13,000
Training	1,500	2,500
Equipment Purchase/Repair	-	-
Temporary Personnel Services	-	-
Indirect Costs	730	20,900
Miscellaneous	3,753	18,895
Total Budget	273,965	389,628

d. Number of person-years

Type of position	Full-time equivalent	% of year position filled	Person-years
Professional			
Full-time	20	75	18
Part-time			
Vacant			
Clerical			
Full-time	7	95	6.5
Part-time			
Vacant			

e. Summary of presentations made:

dLCV conducted three (3) trainings to students with disabilities on employment rights under the Americans with Disabilities Act (ADA) to assist with transition from school to work. The trainings were provided to students at Virginia Commonwealth University (VCU) and students at the Youth Leadership Forum. The information was also provided to the VCU disability coordinator, and then disseminated to students utilizing the

university disability accommodation services. Overall dLCV was able to reach more than thirty-six (36) students through this training series.

dLCV conducted five (5) transition rights presentations to parent or child advocacy groups. The presentations included information on transition services, vocational rehabilitation services, benefits planning and work incentives. Presentations were given to parents, advocates and students at the Williamsburg Muscular Dystrophy Association; students and staff members at the Woodrow Wilson Rehabilitation Center Postsecondary Education Rehabilitation Treatment program; to staff and Consumer Advisory Committee members of the Lynchburg Area Center for Independent Living; parents and advocates from the Hampton Lutheran Family Services; and a webinar sponsored by the Parent Education Advocacy Training Center. The webinar was recorded and is now linked to the dLCV website continuing to make the information accessible to an audience much larger than can be reached through traditional presentations!

dLCV reached more than sixty-seven (67) individuals through transition rights training. This series raises awareness of transition services available to students preparing for the future after secondary education. The information provided prompted the Lynchburg attendees to send letters to five (5) school districts in the area reminding schools to refer students age fourteen and older, and receiving special education services, to the Department of Aging and Rehabilitative Services to ensure they receive appropriate transition planning services.

dLCV provided employment rights training to fifteen (15) groups of clients and staff of Woodrow Wilson, regional DARS offices and other consumer groups. dLCV reached more than 205 consumers through these presentations. This series increased consumer and advocate awareness of the American with Disabilities Act (ADA) protections and the employment rights of individuals with disabilities. This outreach also resulted in dLCV assisting clients to receive desirable outcomes in cases dealing with employment related issues.

dLCV staff participated in the Youth Leadership Forum. Through this program, dLCV was able to provide information to groups of rising juniors and seniors about dLCV services, transition services and employment rights over the course of five days. Overall, dLCV was able to reach sixty (60) individuals through trainings and the dissemination of information.

f. Involvement with advisory boards:

dLCV operated with one (1) Advisory Council: The Protection and Advocacy for Individuals with Mental Illnesses (PAIMI) Advisory Council. The Council's primary responsibility was to advise the protection and advocacy system on policies and priorities to be carried out in protecting individuals with disabilities concentrating on those with mental illness. This function helped dLCV to identify underserved and unserved Virginians.

g. Outreach to unserved/underserved populations:

A portion of dLCV CAP training and outreach was also provided via 'Office Hours', a diverse program we operate to provide outreach efforts to individuals with disabilities facing CAP and other advocacy issues throughout the state. dLCV reached out to all fifteen Centers for Independent Living (CILs) in the first quarter and fostered relationships with eight locations to provide further outreach services.

dLCV then provided "Who is dLCV" presentations to these CILs to educate them about our agency in its first year of operation. The sites included: Winchester, Harrisonburg, Norfolk, Richmond, Roanoke, Lynchburg, Fredericksburg and Manassas locations. dLCV then started regular visits to the CILs for presentations and to provide 'Office Hours'. Office Hours is a program where a dLCV advocate or attorney goes on a regular basis to meet with CIL consumers or staff to discuss disability advocacy issues including CAP related topics that dLCV might be able to assist with. The dLCV staff person will do an intake if appropriate while there visiting with the person. dLCV conducted nineteen (19) total CIL visits during this fiscal year where one-hundred fifty (150) individuals were participants in a variety of presentation topics such as employment and VR services.

dLCV translated publications in Spanish including our general dLCV overview brochure as well as our CAP brochure, which gives a detailed explanation of the program and services we provide.

h. Alternative Dispute Resolutions:

None

i. Systematic Advocacy:

dLCV participated on the Virginia State Rehabilitation Council (SRAC) for the Department for Aging and Rehabilitative Services (DARS) and the SRAC for the Department for the Blind and Vision Impaired (DBVI) assigning two different disability rights advocates to each of the positions. The Rehabilitation Act of 1973, as amended, requires the establishment of a Statewide Rehabilitation Council to be appointed by the Governor. The amendments identify specific organizations or individuals, including current or former recipients of vocational rehabilitation services, to be represented on the councils. dLCV will continue collaboration with the State Rehabilitation Councils in FY 15.

dLCV began investigating 14c sheltered workshop locations at the end of FY13. In FY14, dLCV completed the investigations and compiled a report of the findings. dLCV conducted investigations of thirty-five (35) of the fifty-four (54) locations throughout the Commonwealth. The three core issues flagged for systemic advocacy are potential exploitation due to subminimum wages, lack of community integration, and physical

accessibility. dLCV will continue this work in FY15 to address the identified issues, taking corrective action as necessary.

dLCV also identified issues for follow up in FY15 with DARS agencies through office hours and the 14c investigation. Those identified issues include: reports of DARS agencies pushing individuals with competitive skills into sheltered employment situations; failing to provide accommodations; limiting assessments and the ability to rotate between positions; and limited job coach services. dLCV will continue working in FY15 to address these issues as well.

j. Interesting Cases:

Fred's attempts to secure assistance from the Department of Aging and Rehabilitative Services (DARS) were unsuccessful. Despite several attempts to connect with his case manager, Fred received a letter stating his case was going to be closed if he did not make contact by a specified date. dLCV investigated and discovered Fred received a one day evaluation at Woodrow Wilson over a year prior, then no further contact from DARS occurred. dLCV contacted the DARS office regional manager, who assigned a new counselor right away. The new counselor made immediate contact with Fred and began evaluations to determine what supports and services would be necessary to draft an appropriate individualized plan for employment (IPE). Through dLCV's advocacy, Fred has a positive working relationship with his DARS counselor and is working towards achieving his IPE goal.

Wilma contacted dLCV seeking assistance because her DARS counselor was closing her case in spite of Wilma's insistence that her part time job did not employ her to her maximum potential. Wilma also was facing personal challenges and needed time to resolve her issues before resuming her efforts towards securing permanent employment and reaching her IPE goals. dLCV intervened and successfully negotiated for Wilma's case to be placed in 'interrupted status' and not closed; allowing her time to get her personal affairs in order. dLCV also negotiated a new DARS counselor whom has developed a positive relationship for Wilma to make her future employment closer than ever!

Barney had a breakdown in communication with his DARS counselor. He did not understand what it meant to "set an employment goal" and did not believe his counselor understood what he wanted his career path to be. dLCV educated Barney to understand that what he called a 'career path' synonymous with what in DARS terminology called 'setting an employment goal.' Once the language barriers were removed, dLCV facilitated a better working relationship between Barney and his DARS counselor. dLCV also negotiated appropriate services for Barney and was instrumental in drafting an appropriate IPE. Through dLCV advocacy, Barney was educated on DARS services and terminology, developed an amicable relationship with his DARS counselor, and received services even after he began working.

Betty contacted dLVCV seeking representation because she contested DARS' failure to authorize college financial assistance. The DARS counselor questioned Betty's ability to be successful in college, which was the basis of the denial of services. After extensive investigation, dLVCV discovered that the counselor could have authorized a trial semester. After demonstrated success, DARS could have continued to pay a portion of Betty's tuition even in light of her decision to attend a private college. DARS never informed Betty of these options. dLVCV advocacy resulted in Betty receiving, as compensation, retroactive payment for two semesters of college and one summer school course. dLVCV also negotiated an updated assistive technology assessment to ensure Betty's continued success during her remaining two years of schooling. dLVCV's advocacy further resulted in Betty being assigned a new DARS counselor and the authorization of school assistance at the four year public university rate.

Pebbles was dissatisfied with the services she was receiving from DARS. She was anxious about the job search process as an individual with a disability. Pebbles was also unsure, as a highly educated professional, when or if she should reveal her disability. dLVCV discovered that the DARS evaluations did not fully reflect Pebbles' abilities and advocated for new evaluations. dLVCV educated Pebbles on her rights under the Americans with Disabilities Act (ADA). dLVCV assisted DARS in educating Pebbles how to assert her rights during the application and interview process. Pebbles was also given information regarding the Job Accommodations Network website as an additional resource. Through dLVCV advocacy, Pebbles received appropriate evaluations, was informed of her ADA rights, and learned to assert her rights as she works to achieve her IPE goal.

Mr. Slate wanted to get his case transferred to another DARS office and to get approval for schooling. dLVCV advocated for the successful transfer of Mr. Slate's case to another office and began researching the barriers to his educational goal. dLVCV discovered that Mr. Slate had no intentions of working based on his fear that if he worked he would lose his social security benefits. dLVCV educated Mr. Slate on the Social Security work incentive program. dLVCV assisted the DARS counselor in encouraging Mr. Slate to take advantage of the DARS benefits planning services. dLVCV eventually realized that Mr. Slate would be unwilling to entertain the idea of working without further information, but still desired to go to school. dLVCV then connected Mr. Slate with the disability and financial aid services in the school of choice. Through dLVCV advocacy, Mr. Slate received information regarding Social Security's work incentive program, and has access to the DARS benefits planning services. dLVCV also connected Mr. Slate with his school of choice and assisted with the process to determine that he likely qualifies for sufficient funding to attend with no out of pocket expense. Because Mr. Slate was homeless, dLVCV also provided information regarding housing opportunities.

k. On-line information/outreach:

dLCV maintains a website that posts our federal grants' Goals and Focus Areas. This website also posts notices for the Board of Directors' and Advisory Council meetings. Job vacancies, announcements, agency publications, and disability-related links are also available. This website can be viewed at www.dlcvm.org.

dLCV will continue the Office Hours program detailed in section G. of this report in FY 15 to maintain connectivity in local communities with individuals with disabilities across the Commonwealth.

dLCV routinely takes training and outreach requests from the community providing a wide variety of presentations on multiple topics including CAP related issues like employment and benefit planning and work incentives.

With direction from the dLCV Board, dLCV launched a detailed survey to obtain meaningful feedback for our goals and focus areas in FY 15. dLCV pursued several methods of distribution of the survey including sending it to our clients, posting the survey on our own website, posting it on the dLCV Facebook page and working with several other agencies to post to listservs, Twitter and website links including the Partnership for People with Disabilities, Virginia Board for People with Disabilities, Virginia Association of Consumers Asserting Leadership (VOCAL) and the Department of Aging and Rehabilitative Services (DARS). Staff also actively distributed the survey in client correspondence and during trainings and other outreach efforts.

From 5/9/14 through 7/15/14 dLCV received three-hundred fourteen (314) responses to our survey. The largest number of responses, thirty-four percent, came directly from individuals with disabilities. Twenty-six percent of the respondents were parents or guardians. The remaining groups represented included family members, teachers, mental health professionals and providers who accounted for the remaining forty percent of responses.

CAP related topics of importance to our respondents from the survey included: availability of government programs and services (fourteen percent), effective vocational rehabilitation services (eleven percent) and employment rights (eleven percent).

The dLCV Board adopted Goals and Focus Areas using this survey data and with input from PAIMI Advisory Council and the dLCV's past year work experience we then used the survey information and other information to create our work plan for FY 15.

dLCV also provides client satisfaction surveys in every close letter we send out, to assess client satisfaction. We follow up with approximately ten (10) percent of clients we have served through interview callbacks where a neutral member of our staff unfamiliar with a client's case calls back the client we served and inquires about their overall satisfaction with the services we provided. dLCV is pleased to report a ninety-two percent satisfaction rate from the forty (40) client satisfaction surveys we received across all grants.

We include “The Directors’ Blog” on our website. This blog is offered as a way of alerting the public to news and developments in disability law, sharing activities of the Office, and getting feedback about how we’re doing.

dLCV has a Facebook page which includes agency information and links to resources.

dLCV distributed an “annual report” to the members of the General Assembly which provides statistics and case examples about the work we do.

Internally, staff working under CAP may also work under our other federal grants which all could be related to CAP needs. We found this to be a natural and logical blending of objectives and funding in order to reach the target population and present comprehensive information.

Signature and title of CAP Program Director:

Colleen Miller, Executive Director

Date