

RSA-227 - Annual Client Assistance Program (CAP) Report

Virginia (Disability Law Center of Virginia) - H161A150067 - FY2015

General Information

Designated Agency Identification

| | |
|-----------------|---|
| Name | disAbility Law Center of Virginia |
| Address | 1512 Willow Lawn Drive, Suite 100 |
| Address Line 2 | |
| City | Richmond |
| State | Virginia |
| Zip Code | 23230 |
| E-mail Address | info@dlcv.org |
| Website Address | http://www.dlcv.org |
| Phone | 804-225-2042 |
| TTY | |
| Toll-free Phone | 800-552-3962 |
| Toll-free TTY | |
| Fax | 804-662-7431 |

Operating Agency (if different from Designated Agency)

| | |
|-----------------|---|
| Name | disAbility Law Center of Virginia |
| Address | 1512 Willow Lawn Drive, Suite 100 |
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| City | Richmond |
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| Fax | 804-662-7431 |

Additional Information

| | |
|------------------------------------|---------------------------------------|
| Name of CAP Director/Coordinator | Colleen Miller, Executive Director |
| Person to contact regarding report | Robert Gray, DD for Compliance and QA |
| Contact Person Phone | 804-225-2042 |

Part I. Non-case Services

A. Information and Referral Services (I&R)

Multiple responses are not permitted.

| | |
|---|-----|
| 1. Information regarding the Rehabilitation Act | 57 |
| 2. Information regarding Title I of the ADA | 113 |
| 3. Other information provided | 87 |
| 4. Total I&R services provided (Lines A1+A2+A3) | 257 |

B. Training Activities

| | |
|---|------|
| 1. Number of training sessions presented to community groups and public agencies. | 137 |
| 2. Number of individuals who attended these training sessions. | 5253 |
| 3. Describe training presented by the staff. | |

The disAbility Law Center of Virginia (dLCV) provided 137 CAP training sessions to 5253 attendees through diverse forums. Topics included employment rights, vocational rehabilitation rights and services, and transition services.

dLCV provided over 76 presentations to the Department for Aging and Rehabilitative Services (DARS) regional offices and local offices, Department for the Blind and Vision Impaired (DBVI) offices, Centers for Independent Living (CILs) and providers throughout the state including Haven Homeless Shelter, Care Connection, "On Our Own" self-advocacy group and the Westwood Clubhouse. One of our significant presentations took place at the National Federation for the Blind (NFB) State Convention in Hampton Virginia. As a result of this presentation, the Department for the Blind and Vision Impaired (DBVI) commissioner sent an agency wide email to staff explaining DBVI's responsibility to inform all vocational rehabilitation (VR) clients about dLCV. These presentations were part of a large systemic project detailed in Section IV.A.2 of this report which increased CAP and VR callers and clients by 62% in FY 15.

dLCV visited 30 residential providers and day support centers delivering education on CAP and the right to receive support services to find and sustain employment. dLCV ensured each office had CAP brochures, and updated dLCV posters with accurate dLCV contact information.

This year dLCV used CAP and other funding to continue the 'Office Hours' program at more than 7 different Centers for Independent Living (CILs) in Petersburg, Rocky Mount, Martinsville, Roanoke, Lynchburg, Norfolk, Fredericksburg, Manassas, Richmond and Abington. Office Hours is a program

where dLCV staff provide presentations, meet with individuals one-on-one to discuss their issues and complete a dLCV intake if appropriate. dLCV staff presented various topics to statewide CILs, including Special Education Rights, Employment Rights, Vocational Rehabilitation and Client Assistance Program Rights, Voting Rights, Assistive Technology Rights for Adults, Assistive Technology Rights for Children and "Who is dLCV". This objective reached around 300 individuals including staff and consumers.

dLCV provided 3 presentations regarding transition and employment rights to parents, students, school division staff and other advocates. The presentations reached 108 individuals with disabilities, students, parents and providers at the ADA 25th Anniversary fair in Manassas, Independence Empowerment Center in Manassas, and at a transition fair at the Kate Waller Barrett Library. The presentations provided attendees with valuable information regarding the law as it applies to transition services and the components of an effective transition plan. Attendees participated in an interactive session to develop a transition plans for imaginary students creating work goals and volunteer opportunities.

dLCV completed 10 presentations at 14-C workshops. The topic of the presentation was Title I of the Americans with Disabilities Act (ADA), benefits planning and accommodations on the job. dLCV presented to a total of 362 staff and participants at these workshops. Presentations reached workshops in the Southwest part of Virginia, the Eastern Shore, the Tidewater area, Richmond, Petersburg and Danville.

Using multiple funding streams, dLCV conducted outreach to educate eleven groups with little or no knowledge about CAP and our agency. Groups included: Rotary Club in Richmond Virginia, Good Neighbor Community Services-River Road Group Home, Faison School for Autism, John Tyler Community College Chester campus, Commonwealth Workforce Network, Culpepper and Abingdon Department for Aging and Rehabilitative Services (DARS), Virginia Commonwealth University (VCU) staff and students, Virginia Beach Psychiatric Center, Norfolk Sentara Rehab Support Group, and VCU's Leap Program. dLCV provided education about the CAP program and other dLCV services.

C. Agency Outreach

Describe the agency's outreach efforts to previously un-served or underserved individuals including minority communities.

Utilizing CAP and other funding, dLVCV collaborated with a videographer and created a series of web based videos called "Ask the Expert." The series discussed different legal issues affecting people with disabilities. The first video in the series is Vocational Rehabilitation Rights and Services. dLVCV used this medium to help direct individuals in all communities to agencies such as the Department of Rehabilitative Services (DARS) and explain the eligibility process. This series also addresses who can apply for Vocational Services (VR) and information on dLVCV's CAP program and how to reach us. The video series is posted on dLVCV's website for free and public access.

The disAbility Law Center of Virginia analyzed data and public comment and identified 4 barriers transition age students face as they look for employment upon leaving high school. These barriers are especially prominent in rural and underserved areas:

1. Too much or too little family support
2. Fear of losing a benefit from the Social Security Administration that it took so long to get
3. Limited transportation services especial in rural and underserved areas
4. Lack of knowledge of Vocational Rehabilitation services especially in rural and underserved areas

dLVCV shared this information with the State Rehabilitation Advisory Council for DARS. dLVCV is working with DARS in the coming year to address these barriers.

D. Information Disseminated To the Public by Your Agency

For each method of dissemination, enter the total number of each method used by your agency during the reporting period to distribute information to the public. For publications/booklets/brochures (item 4), enter the total number of documents produced. Agencies should not include website hits. See instructions for details.

| | |
|--|------|
| 1. Agency Staff Interviewed or Featured on Radio and TV | 0 |
| 2. Articles about CAP Featured in Newspaper/Magazine/Journals | 0 |
| 3. PSAs/Videos Aired about the CAP Agency | 1 |
| 4. Publications/Booklets/Brochures Disseminated by the Agency | 4590 |
| 5. Number of Times CAP Exhibited at Conferences, Community Fairs, etc. | 3 |
| 6. Other (specify below) | |

E. Information Disseminated About Your Agency by External Media Coverage

Describe the various sources and information disseminated about your agency by an external source.

Although media outlets did not broadcast information specific to the CAP program, dLVCV was identified in multiple articles regarding a variety of issues including seclusion

and restraint in the public school system and involvement improving the mental health service delivery system. This information is reported in our other grant reports.

Part II. Individual Case Services

A. Individuals served

An individual is counted only once during a fiscal year. Multiple counts are not permitted for Lines A1-A3.

| | |
|---|----|
| 1. Individuals who are still being served as of October 1 (carryover from prior year) | 9 |
| 2. Additional individuals who were served during the year | 83 |
| 3. Total individuals served (Lines A1+A2) | 92 |
| 4. Individuals (from Line A3) 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 A3 above.) | 6 |
| 5. Individual still being served as of September 30 (Carryover to next year. This total may not exceed Line A3.) | 20 |

B. Problem areas

Multiple responses permitted.

| | |
|---|----|
| 1. Individual requests information | 0 |
| 2. Communication problems between individual and counselor | 6 |
| 3. Conflict about services to be provided | 45 |
| 4. Related to application/eligibility process | 9 |
| 5. Related to IPE development/implementation | 2 |
| i. Selection of vendors for provision of services ii. Selection of training, post-secondary education iii. Selection of employment outcome iv. Transition services | 9 |
| 6. Other Rehabilitation Act-related problems | 1 |
| 7. Non-Rehabilitation Act related | 0 |
| i. TANF ii. SSI/SSDI iii. Housing iv. Other: | |
| 8. Related to Title I of the ADA | 26 |

C. Intervention Strategies for closed cases

(Choose one primary service the CAP provided for each closed case file. There may be more case files than actual individuals served.)

| | |
|--|----|
| 1. Short Term Technical Assistance | 49 |
| 2. Investigation/Monitoring | 3 |
| 3. Negotiation | 24 |
| 4. Mediation and other methods of Alternative Dispute Resolution | 0 |
| 5. Administrative / Informal Review | 2 |
| 6. Formal appeal / Fair Hearing | 0 |
| 7. Legal remedy / Litigation | 0 |
| 8. Total | 78 |

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.)

| | |
|--|----|
| 1. All issues resolved in individual's favor | 24 |
| 2. Some issues resolved in individual's favor (when there are multiple issues) | 38 |
| 3. CAP determines VR agency position/decision was appropriate for the individual | 3 |
| 4. Individual's case lacks legal merit; (inappropriate for CAP intervention) | 3 |
| 5. Individual chose alternative representation | 0 |
| 6. Individual withdrew complaint | 5 |
| 7. Issue not resolved in clients favor | 0 |
| 8. CAP services not needed due to individual's death, relocation, etc. | 2 |
| 9. Individual not responsive/cooperative with CAP | 3 |
| 10. CAP unable to take case due to lack of resources | 0 |
| 11. Conflict of interest | 0 |
| 12. Other (Please explain below) | 0 |

E. Results achieved for individuals

(Choose one primary outcome for each closed case file. There may be more case files than the total number of individuals served.)

| | |
|--|----|
| 1. Controlling law/policy explained to individual | 15 |
| 2. Application for services completed | 3 |
| 3. Eligibility determination expedited | 1 |
| 4. Individual participated in evaluation | 3 |
| 5. IPE developed/implemented/Services Provided | 4 |
| 6. Communication re-established between individual and other party | 17 |
| 7. Individual assigned to new counselor/office | 3 |
| 8. Alternative resources identified for individual | 29 |
| 9. ADA/504/EEO/OCR complaint made | 1 |

10. Other (Please explain below)

One client passed away and another was non-responsive.

Part III. Program Data

A. Age

Multiple responses not permitted.

| | | |
|--|---|----|
| | 1. Up to 18 | 7 |
| | 2. 19 - 24 | 16 |
| | 3. 25 - 40 | 20 |
| | 4. 41 - 64 | 28 |
| | 5. 65 and over | 21 |
| | 6. Total (Sum of Lines A1 through A5. Total must equal Part II, Line A3.) | 92 |

B. Gender

Multiple responses not permitted.

| | | |
|--|--|----|
| | 1. Females | 44 |
| | 2. Males | 48 |
| | 3. Total (Lines B1+B2. Total must equal Part II, Line A3.) | 92 |

C. Race/ethnicity of Individuals Served

| | | |
|--|---|----|
| | 1. Hispanic/Latino of any race (for individuals who are non-Hispanic/Latino only) | 4 |
| | 2. American Indian or Alaskan Native | 0 |
| | 3. Asian | 1 |
| | 4. Black or African American | 45 |
| | 5. Native Hawaiian or Other Pacific Islander | 1 |
| | 6. White | 39 |
| | 7. Two or more races | 2 |
| | 8. Race/ethnicity unknown | 0 |

D. Primary disabling condition of individuals served

Multiple responses not permitted.

| | | |
|--|---|----|
| | 1. Acquired Brain Injury | 0 |
| | 2. ADD/ADHD | 2 |
| | 3. AIDS/HIV | 2 |
| | 4. Amputations or Absence of Extremities | 0 |
| | 5. Arthritis or Rheumatism | 2 |
| | 6. Anxiety Disorder | 1 |
| | 7. Autism | 11 |
| | 8. Autoimmune or Immune Deficiencies (excluding AIDS/HIV) | 0 |

| | |
|--|----|
| 9. Blindness (Both Eyes) | 7 |
| 10. Other Visual Impairments (Not Blind) | 6 |
| 11. Cancer | 0 |
| 12. Cerebral Palsy | 0 |
| 13. Deafness | 3 |
| 14. Hard of Hearing/Hearing Impaired (Not Deaf) | 1 |
| 15. Deaf-Blind | 0 |
| 16. Diabetes | 0 |
| 17. Digestive Disorders | 0 |
| 18. Epilepsy | 2 |
| 19. Heart & Other Circulatory Conditions | 1 |
| 20. Intellectual Disability | 8 |
| 21. Mental Illness | 17 |
| 22. Multiple Sclerosis | 0 |
| 23. Muscular Dystrophy | 0 |
| 24. Muscular/Skeletal Impairment | 4 |
| 25. Neurological Disorders/Impairment | 10 |
| 26. Orthopedic Impairments | 6 |
| 27. Personality Disorders | 0 |
| 28. Respiratory Disorders/Impairment | 2 |
| 29. Skin Conditions | 1 |
| 30. Specific Learning Disabilities (SLD) | 6 |
| 31. Speech Impairments | 0 |
| 32. Spina Bifida | 0 |
| 33. Substance Abuse (Alcohol or Drugs) | 0 |
| 34. Other Disability | 0 |
| 35. Total (Sum of Lines D1through D34. Total must equal Part II, Line A3.) | 92 |

E. Types of individuals served

| | |
|--|----|
| 1. Applicants or clients of other programs or projects funded by the Act | 21 |
| 2. Individuals eligible for VR services currently on a wait list | 5 |
| 3. Individuals eligible for VR services not currently on a wait list | 37 |
| 4. Transition aged / high school student | 11 |
| 5. Applicants of VR program | 17 |
| 6. Applicant or individual eligible for independent living | 1 |
| 7. Total | 92 |

Part IV. Systemic Activities and Litigation

A. Non-Litigation Systemic Activities

| | |
|---|---|
| 1. Number of non-litigation systemic activities not involving individual representation that resulted in the change of one or more policy or practice of an agency. | 3 |
| <p>2. Describe the systemic activities conducted by CAP during the fiscal year and its impact on other agency's policies or practices.</p> <p>dLCV embarked on a systemic project to increase the volume of individuals we assist through our CAP program. We used several strategies to increase CAP and VR callers. We completed 76 presentations and collaborated with the DBVI Commissioner detailed in Part 1. B of this report. dLCV then wrote the DARS Commissioner and successfully negotiated a requirement that all DARS staff provide ongoing education to their VR clients of the CAP program and provide dLCV's CAP brochure at closure of every DARS case.</p> <p>dLCV then contacted 50 VR CAP clients from the last 2 years for the purposes of gathering information about how they learned about the CAP program. 30 percent of the survey participants indicated they were informed about the CAP program from their counselors or DARS. About 70 % found out about the CAP program through some other means. This client follow-up led to additional services requests for the agency in the third and fourth quarters of the year.</p> <p>In FY 15, dLCV assisted 95 clients with 102 service requests. 257 individuals also received information and referral. As a result of our combined outreach efforts, dLCV reports a 62% increase in callers. Through targeted efforts and education, Virginians now have increased access to the CAP program.</p> <p>Recognizing the importance of transition planning, dLCV revised an existing fact sheet and included updated information. We researched public and private schools providing special education services. We sent a packet to 655 schools across the Commonwealth including the fact sheet and a Department of Aging and Rehabilitation Services (DARS) brochure, reminding schools of their obligation to help students prepare for life after high school increases awareness to plan for tomorrow.</p> <p>dLCV conducted monitoring activities in 10 licensed vocational, work, or prevocational programs which provided services to more than 300 people. These programs are located in all parts of the state from northern Virginia to southwest Virginia and the Shenandoah Valley. We encouraged programs to develop a more integrated community model and spoke with individuals about their experiences at the programs to ensure they were treated fairly.</p> | |

dLCV developed a fact sheet on transition services for individuals under the age of 23 who work at 14-c locations. We distributed the fact sheet to every individual under the age of 23 who works in a 14-c across the state.

B. Litigation

| | |
|---|------|
| 1. Total number of CAP cases requiring litigation involving individual representation resulting in, or with the potential for, systemic change. | |
| a. Number of cases requiring litigation involving individual representation filed during fiscal year. | 0 |
| b. Number of on-going cases pending at start of fiscal year (carryover from prior fiscal year). | 0 |
| c. Number of cases resolved through litigation during fiscal year. | 0 |
| 2. Describe the agency's on-going and completed systemic litigation activities involving individual representation. | |
| | None |

Part V. Agency Information

A. Designated Agency

| | |
|---|-----------------------------------|
| 1. Agency Type (select only one option) | P&A- Non-profit |
| 2. Name of designate agency | disAbility Law Center of Virginia |
| 3. Is the designated agency contracting CAP services? | No |
| 4. If yes, name of contracting agency: | N/A |

B. Staff Employed

Provide a description of all CAP positions:

dLCV employs twelve advocates, six attorneys and four Team Managers who complete casework and project work under multiple funding streams, including CAP.

The majority of dLCV's CAP work is completed through the Community Resources and Quality Assurance Teams. Both Teams have at least one advocate who participated in NDRN's CAP training program.

In FY 16, dLCV is planning to send three staff to the NDRN training program.

The dLCV Staffing Plan for FY 15:

The dLCV Receptionist may provide information and referral services for anyone requesting services from our agency.

dLCV Disability Rights Advocates and Staff Attorneys provide case level services and pursue systemic reforms via a variety of methods such as investigation and monitoring. They also provide training and outreach.

The Team Leaders provide supervision and leadership in these efforts. They may also provide case level services and pursue systemic reforms.

Support services (data management, fiscal, human resources, purchasing, for example) are provided by Administrative Staff.

The Management Team (Executive Director, Deputy Director for Legal Services, Deputy Director for Deputy Director of Fiscal and Operations and Deputy Director for Compliance and Quality Assurance) provides leadership and direction in the areas of program and policy planning, development, monitoring, and evaluation.

The Executive Director provides the ultimate leadership and direction for all actions of the agency and provides direct supervision for the Management Team.

The Deputy Director for Legal Services supervises the Team Leaders and all legal services provided by the agency.

The Deputy Director for Fiscal and Operations supervises administrative, human resources and information technology staff and manages financial operations of the agency.

The Deputy Director for Compliance and Quality Assurance manages our federal grants, intake and I&R and agency performance and efficiency.

Part VI. Case Examples

Provide some examples of some interesting cases during the past fiscal year.

David has an Intellectual Disability (ID) and is nearly 60 years old. He spent the last 15 years placed in sub-minimum wage work by the Department of Aging and Rehabilitation Services (DARS). David returned to DARS after being laid off. One of the unfortunate side effects of losing a sub-minimum wage job is that you can't apply for unemployment. Armed with this information and the reality that higher wages could increase his social security retirement benefit, he returned to DARS insistent that he would no longer settle for these low wages. David wanted his case assigned to a DARS office that was closer to him to fix these problems. Due to dLCV's persistent advocacy David's case was transferred to the new office. He was assigned a new counselor who immediately began working with him to reach his goal of competitive employment in the community. A Benefits Analysis informed him of how his benefits will be affected by working. David then received a Job Placement Counselor who is already assisting him to find job leads in the community. David is close to a real job thanks to dLCV.

Mark is 17 years old and has autism. He lacked appropriate transition planning from DARS. Mark's DARS Counselor told Mark and his mother that he would not benefit from their services and DARS refused to do an intake. Due to dLCV's advocacy Mark promptly received an intake appointment. Now he is actively working with his DARS Counselor and adequately preparing for post-secondary life.

Shana has a neurological disability and she works for Virginia Beach City School District. She asked for her employer to provide her accommodations. She also asked that she have information to give her employer so she could tell them what their obligations were under the law regarding accommodations under the Americans with Disabilities Act (ADA). Shana was provided with short term assistance from dLCV about her rights under Title I of the ADA. She learned how she can file a complaint with the Equal Employment Opportunity Commission (EEOC). Shana understands her rights, can negotiate with her employer and file the necessary complaints to receive her accommodations.

Teresa is 21 and has significant learning disabilities. She contacted dLCV seeking assistance to receive an appropriate Individualized Plan for Employment (IPE) from the Department for Aging and Rehabilitative Services (DARS). dLCV met with Teresa and her DARS Counselor and negotiated a Vocational evaluation (VE) to help clarify her employment strengths. Teresa then attended job placement classes at DARS for a time before she was ready to develop her IPE. Next, dLCV met with Teresa and her Counselor to develop her IPE. Due to dLCV's negotiation and advocacy, Teresa's IPE expresses her own goals and ambitions and her employment goal of "Cashier." One of the services identified in Teresa's IPE is bus training so someone from DARS will teach her to ride the bus to allow greater independence. Teresa is very happy with her IPE and ready to work!

Marion Kay is 55 with a visual impairment. She is a client of the Department for the Blind and Vision Impaired (DBVI). She contacted dLCV for assistance to receive low vision aids and equipment to help her be successful in her job search and eventually on the job. dLCV negotiated with DBVI expressing concern that Marion Kay did not have the needed low vision aids and equipment for her job search. The negotiation was very effective. Marion Kay immediately received a new low vision exam to see what low vision aids she needed for her job search. The Orientation Mobility Specialist then agreed to come see Marion Kay more often to provide her travel training in her community and a plan was developed to get Marion the training she needs for computer training and receipt of specialized software. Marion Kay was thrilled with the outcome of the meeting and said it would not have been possible without dLCV.

Shelley is 50 and manages mental illness. She contacted dLCV about communication issues with her DARS Counselor. dLCV met with the DARS Office Manager and expressed Shelley's concerns, as well as the inappropriate entry level types of jobs the Counselor proposed Shelley consider. dLCV advocated that Shelley receive a Job Coach and on the job training. Finally, we addressed transportation barriers.. By the end of the negotiation meeting, Shelley and her Counselor communicated much better and she felt respect from DARS. Shelley and her Counselor scheduled a follow up meeting to discuss next steps in Shelley's case. dLCV contacted Shelley after the second meeting and learned communication has been completely restored. Shelley was thankful that dLCV went to the meeting with her and advocated on her behalf.

C. Financial Data:

Sources of funds

| Source of funding | Amount Received | Amount Spent |
|-----------------------------|-----------------|--------------|
| Federal funds | 285,133 | 27,306 |
| State funds | - | - |
| Program Income | - | - |
| Private | - | - |
| All other funds (carryover) | 255,573 | 255,573 |
| Total from all sources | 540,706 | 282,819 |

Budget for current and following fiscal years

| Category | Current Fiscal Year FY15 | Next Fiscal Year FY16 |
|--|-----------------------------|--------------------------|
| Wages & Salaries | 281,749 | 291,542 |
| Fringe Benefits (FICA, unemployment, etc.) | 57,418 | 63,931 |
| Materials/Supplies | 880 | 1500 |
| Postage | 385 | 900 |
| Telephone/Internet | 2,200 | 3,250 |
| Organization memberships/Subscription | 10,000 | 5,000 |
| Travel | 13,500 | 13,500 |
| Training | 2,000 | 3,300 |
| Equipment Purchase/Repair | 1,100 | 1,560 |
| Temporary Personnel Services | - | - |
| Indirect Costs | - | - |
| Miscellaneous | 18,895 | 18,750 |
| Total Budget | 388,127 | 403,233 |

Number of person-years

| Type of position | Full-time equivalent | % of year position filled | Person-years |
|------------------|----------------------|---------------------------|--------------|
| Professional | | | |
| Full-time | 26 | 75 | 23 |
| Part-time | | | |
| Vacant | | | |
| Clerical | | | |
| Full-time | 7 | 75 | 6 |
| Part-time | | | |
| Vacant | | | |

Certification

Reports are to be submitted to RSA within 90 days after the end of the fiscal year covered by this report. Please be reminded that you can enter data directly into RSA's website via the internet. Information on transmittal of the form is found on pages 19 and 20 of the reporting instructions.

Name of Designated Agency Official

| | | |
|--|-------------------------------------|--|
| | Title of Designated Agency Official | |
| | Date Signed | |

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Save and open next section