

# RSA-227 for FY-2022: Submission #9

**State name**

Virginia

**Report through date**

09/30/2022

**Grant Award Number**

H161A220067

**Submitting Organization**

Disability Law Center of Virginia

## General Information

**Designated Agency Identification****Name**

disAbility Law Center of Virginia

**Address**

1512 Willow Lawn Drive

**Address Line 2**

Suite 100

**City**

Richmond

**State**

VIRGINIA

**Zip Code**

23230

**E-mail Address**

[robert.gray@dlcv.org](mailto:robert.gray@dlcv.org)

**Website Address**

<http://www.dlcv.org>

**Phone**

[804-225-2042](tel:804-225-2042)

**TTY**

{Empty}

**Toll-free Phone**

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**Toll-free TTY**

{Empty}

**Fax**

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**Operating Agency (if different from Designated Agency)****Name**

disAbility Law Center of Virginia

**Address**

1512 Willow Lawn Drive

**Address Line 2**

Suite 100

**City**

Richmond

**Zip Code**

{Empty}

**State**

{Empty}

**E-mail Address**

{Empty}

**Website Address**

{Empty}

**Phone**

{Empty}

**TTY**

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**Toll-free Phone**

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**Fax**

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Additional Information

**Name of CAP Director/Coordinator**

Colleen Miller

**Person to contact regarding report**

Robert Gray

**Contact Person Phone**

[8046627188](tel:8046627188)

**Contact Person E-mail Address**

[robert.gray@dlcv.org](mailto:robert.gray@dlcv.org)

**Part I. Non-case Services**

A. Information and Referral Services

(I&R)

**1. Information regarding the vocational rehabilitation (VR) program**

113

**2. Information regarding independent living programs**

30

**3. Information regarding American Indian VR Service projects**

0

**4. Information regarding Title I of the ADA**

79

**5. Other information provided**

0

**6. Information regarding CAP**

172

**7. Total I&R services provided (Lines A1 through A6)**

394

**B. Training****Activities****1. Number of training sessions presented to community groups and public agencies.**

17

**2. Number of individuals who attended these training sessions.**

4227

**3. Describe training presented by the staff. Include the following information:**

dLCV hosted our annual disAbility Rights and Resources Summit in September 2022. The virtual event's theme was "Disability Through the Ages." Over three hundred event registrants had the opportunity to attend 22 live sessions facilitated by dLCV subject matter experts and community partners; each session also included live ASL interpretation and CART captioning to ensure universal accessibility. Session topics included vocational rehabilitation (VR), transportation, public benefits, and many more. Our social media posts about the event reached nearly 9,000 individuals and visits to our Twitter profile were up more than 100% thanks to Summit posts and related content.

dLCV presented to 12 community groups on dLCV services and Pre-Employment Transition Services (Pre-ETS). The presentations reached 1,194 individuals, families and service providers from the Hispanic community. We completed the presentations in-person and via Zoom in the Richmond-Metro area, Northern Virginia, Harrisonburg and Galax.

dLCV hosted 4 CAP clinics this year. There were a combined total of 13 participants for the year. dLCV completed 5 CAP cases from the clinics during the year. We gave valuable I&R on other issues to the other 8.

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

dLCV continued membership in the Virginia Hispanic Chamber of Commerce. We participated in activities and meetings with the Chamber throughout the year. dLCV presented to the Chamber on employment and VR rights. The 23 members now have a better understanding of hiring and supporting people with disabilities to achieve successful employment.

dLCV translated our most highly distributed publications to Spanish, Arabic, Chinese and Vietnamese in efforts to reach underserved populations. The publications included our CAP brochure, other facts sheets, and a 1 page poster that has information about all dLCV services. dLCV posted the newly translated documents to our website.

dLCV presented to 3 community groups from the underserved Hispanic Community on dLCV services as a whole. dLCV presented to a combined total of over 300 individuals from the 1380 Hispanic radio station audience, Southwood Neighborhood Association and Parent Education Advocacy Training Center (PEATC). The radio station posted the presentation on their Facebook page as well.

dLCV participated in 5 community resource fairs in the underserved Hispanic community. The fairs were the Que Pasa Festival in Richmond, a community festival in Galax, a parent resource fair in Charlottesville, a Resource fair at the food bank in Fredericksburg, and the Imagine Multicultural festival in Richmond. Through these events dLCV provided CAP and general dLCV brochures and information to over 2,900

attendees.

dLCV maintains a cultural competency work group, in which our staff discuss ideas for increased cultural competency and awareness throughout the agency. The Committee completes an annual evaluation of our internal knowledge and the effectiveness of our outreach to unserved and underserved communities.

dLCV continues to complete activities to increase our diversity internally; such as, advertisement of employment and volunteer opportunities in minority markets.

dLCV used our volunteer core of over 50 individuals to attend fairs, conferences, and other events to reach audiences across the Commonwealth.

dLCV continues close communication with all state Department for Aging and Rehabilitative Services (DARS) and Department for the Blind and Vision Impaired (DBVI) offices to ensure their clients understand dLCV and CAP programs.

#### D. Information Disseminated To The Public By Your Agency

##### **1. Agency Staff Interviewed or Featured on Radio and TV**

0

##### **2. Articles about CAP Featured in Newspaper/Magazine/Journals**

1

##### **3. PSAs/Videos Aired about the CAP Agency**

0

##### **4. Publications/Booklets/Brochures Disseminated by the Agency**

1

##### **5. Number of Times CAP Exhibited at Conferences, Community Fairs, etc.**

13

##### **6. Other**

0

##### **Please explain below**

dLCV created a fact sheet on financial responsibility, while working with VR agencies, and disseminated it through various social media and newsletters. The fact sheet explains client rights when the VR agency requests financial proof. We posted the fact sheet on our agency website, as well as on social media. Twitter posts had a total of 180 views and Facebook posts had a total of 244 views.

dLCV offered an annual public input survey during the spring and summer of this fiscal year. This survey allowed our 218 respondents the opportunity to express which disability advocacy issues they feel are most important. 34 of our respondents indicated employment and vocational rehabilitation rights mattered to them. The top two categories selected were: quality mental health care and housing. 54.1% of our respondents were individuals with disabilities. Agencies and individuals assisting with our survey included dLCV clients, the Department for Aging and Rehabilitative Services (DARS), Virginia Board for People with Disabilities, 8 state-funded brain injury programs, Virginia's Long Term Care Ombudsman Program, the Department for Behavioral Health and Developmental Services, Community Services Boards, Department of Veteran Services, SOAR 365, Brain Injury Association of Virginia, Virginia Brain Injury Council Members, The Choice Group, Better Housing Coalition, and dLCV volunteers. dLCV used this information to develop our FY 23 goals and focus areas for CAP and other programs.

dLCV is pleased to report a 95.12% satisfaction rate from the 41 client satisfaction surveys we received across all grants. This satisfaction rate breaks down as 33 respondents who indicated a high level of satisfaction, 6 satisfied, and 2 unsatisfied.

dLCV conducted follow-up interviews with 10% of our closed clients for more in depth feedback on our services. 95% percent of clients interviewed reported that they were satisfied with the resources they received from our agency. Clients felt like dLCV was a valuable resource. One client explained: "Without dLCV, I would not have had anyone to help me with my legal rights and advocacy. Thank You!"

dLCV participated on the Virginia State Rehabilitation Councils (SRACs), with DARS, and DBVI. dLCV will continue collaboration with the State Rehabilitation Councils in FY 23.

dLCV maintains a website that posts the following: our federal grants' goals and focus areas, notices for the Board of Directors and dLCV's Advisory Council meetings, job vacancies, announcements, agency publications, and disability-related links.

dLCV has a Facebook page and Twitter account which include agency information and links to resources.

#### E. Information Disseminated About Your Agency By External Media Coverage

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

We had information to report under other funding streams in FY 22, but not through our CAP program.

## Part II. Individual Case Services

### A. Individuals served

**1. Individuals who are still being served as of October 1 (carryover from prior year)**

3

**2. Additional individuals who were served during the year**

56

**3. Total individuals served (Lines A1+A2)**

59

**4. Individuals (from Line A3) who had multiple case files opened/closed this year.**

3

**5. Individual still being served as of September 30 (Carryover to next year. This total may not exceed Line A3.)**

6

### B. Problem areas

**1. Individual requests information**

8

**2. Communication problems between individual and VR counselor**

4

**3. Conflict about VR services to be provided**

27

**4. Related to VR application/eligibility process**

22

**5. Related to assignment to order of selection priority category**

0

**6. Related to IPE development/implementation**

1

**7. Related to independent living services**

0

**8. Other Rehabilitation Act-related problems**

0

**9. Non-Rehabilitation Act related**

0

**10. Related to Title I of the ADA**

0

**C. Intervention Strategies for closed cases**

**1. Short Term Technical Assistance**

35

**2. Investigation/Monitoring**

0

**3. Negotiation**

21

**4. Mediation and other methods of Alternative Dispute Resolution**

0

**5. Administrative / Informal Review**

0

**6. Formal appeal / Fair Hearing**

0

**7. Legal remedy / Litigation**

0

**8. Total**

56

**D. Reasons for closing individuals' case files**

**1. All issues resolved in individual's favor**

26

**2. Some issues resolved in individual's favor**

19

**3. CAP determines VR agency position/decision was appropriate for the individual**

1

**4. Individual's case lacks legal merit**

0

**5. Individual chose alternative representation**

0

**6. Individual withdrew complaint**

10

**7. Issue not resolved in clients favor**

0

**8. CAP services not needed due to individual's death, relocation, etc.**

0

**9. Individual not responsive/cooperative with CAP**

0

**10. CAP unable to take case due to lack of resources**

0

**11. Conflict of interest**

0

**12. Other**

0

**(Please explain below)**

{Empty}

E. Results achieved for individuals

**1. Controlling law/policy explained to individual**

26

**2. Application for services completed**

3

**3. Eligibility determination expedited**

2

**4. Individual participated in evaluation**

1

**5. IPE developed/implemented/Services Provided**

0

**6. Communication re-established between individual and other party**

12

**7. Individual assigned to new counselor/office**

0

**8. Alternative resources identified for individual**

2

**9. ADA/504/EEO/OCR complaint made**

0

**10. Other**

0

**(Please explain below)**

{Empty}

**Part III. Program Data**

A. Age

**1. Up to 18**

21

**2. 19 - 24**

17

**3. 25 - 40**

8

**4. 41 - 64**

9

**5. 65 and over**

4

**6. Total (Sum of Lines A1 through A5. Total must equal Part II, Line A3.)**

59

B. Gender

**1. Females**

21

**2. Males**

38

**3. Total (Sum of Lines B1 and B2. Total must equal Part II Line A3.)**

59

C. Race/ethnicity of Individuals Served

**1. Hispanic/Latino of any race**

12

**2. American Indian or Alaskan Native**

0

**3. Asian**

2

**4. Black or African American**

16

**5. Native Hawaiian or Other Pacific Islander**

0

**6. White**

25

**7. Two or more races**

3

**8. Race/ethnicity unknown**

1

D. Primary disabling condition of individuals served

**1. Acquired Brain Injury**

0

**2. ADD/ADHD**

3

**3. AIDS/HIV**

0

**4. Amputations or Absence of Extremities**

0

**5. Arthritis or Rheumatism**

1

**6. Anxiety Disorder**

1



- 7. Autism Spectrum Disorder**  
18
- 8. Autoimmune or Immune Deficiencies**  
1
- 9. Blindness**  
1
- 10. Other visual impairments**  
1
- 11. Cancer**  
0
- 12. Cerebral Palsy**  
1
- 13. Deafness**  
0
- 14. Hard of Hearing/Hearing Impaired**  
0
- 15. Deaf-blind**  
1
- 16. Diabetes**  
1
- 17. Digestive disorders**  
0
- 18. Epilepsy**  
0
- 19. Heart and other circulatory conditions**  
0
- 20. Intellectual Disability**  
6
- 21. Mental illness**  
11
- 22. Multiple Sclerosis**  
0
- 23. Muscular Dystrophy**  
0
- 24. Muscular/Skeletal Impairment**  
2
- 25. Neurological Disorders/Impairment**  
3
- 26. Orthopedic impairments**  
4
- 27. Personality Disorders**  
0
- 28. Respiratory Disorders/Impairment**  
0
- 29. Skin Conditions**

0

**30. Specific learning disabilities (SLD)**

1

**31. Speech Impairments**

1

**32. Spina Bifida**

0

**33. Substance abuse**

0

**34. Other disability**

2

**35. Total (Sum of Lines D1through D34. Total must equal Part II, Line A3.)**

59

E. Types of Individuals Served

**1. Applicant of VR**

12

**2. Individual eligible for VR services currently on a wait list**

1

**3. Individual eligible for VR services not currently on a wait list**

26

**4. Applicant or individual eligible for Independent Living**

0

**5. Transition student/High school student**

21

**6. All other applicants or individuals eligible for other programs or projects funded unther Rehabilitation Act**

1

**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.**

1

**2. Describe the systemic activities conducted by CAP during the fiscal year and its impact on other agency's policies or practices.**

In 2021, dLCV recommended that DARS modify their policy to state that Psychiatric Residential Treatment Facilities (PRTFs) are educational facilities where Pre-Employment Transition Services (Pre-ETS) are provided. In early 2022, dLCV learned that DARS did modify their policy, to include, providing Pre-ETS in PRTFs. dLCV then reached out to DBVI to ensure that they would modify their policy to match DARS' updated policy. DBVI did modify their policy as well. dLCV will continue collaboration with DBVI to ensure they have access to PRTFs.

dLCV contacted Bridges Treatment Center and Cumberland Hospital regarding Pre-ETS and VR services at the facilities. We also advocated for 13 students from both facilities to ensure they received appropriate VR or Pre-ETS. dLCV met with DARS to discuss if there was a curriculum for the way that services are provided. dLCV learned that the vendors determine the curriculum. dLCV plans to continue monitoring

how Pre-ETS are provided at PRTFs next year.

B. Litigation

**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):**

External-Protection and Advocacy agency

**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:**

{Empty}

B. Staff

Employed

**1. Provide a description of all CAP positions**

dLCV utilized 37 advocates, attorneys, and support staff from all units to complete our CAP advocacy in FY 22.

As Virginia's protection and advocacy system, we utilize multiple funding streams to complete our advocacy projects and casework.

## Part VI. Case Examples

Case Examples

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

I Got In!

Alex tried to get into the training program sponsored by his VR agency, DBVI, at Virginia Rehabilitation Center for the Blind and Vision Impaired (VRCBVI) for over a year. Alex did not get anywhere on his own. Alex was frustrated with the process and did not understand why it was so difficult. Alex contacted dLCV for assistance. dLCV contacted the VR agency, as well as VRCBVI to help Alex understand why there was a hold on his request for training. Due to dLCV's intervention, the barriers were broken and Alex finally

understood the final paperwork he needed to submit. Alex is now receiving the training he needs so he can re-enter the workplace. Alex told us "You accomplished in a matter of days what I tried to accomplish on my own for over one year."

### Wait, I Need Help!

James' Vocational Rehabilitation (VR) case with the Department for the Blind and Vision Impaired (DBVI) closed successfully. DBVI assisted James to get a job as an Instructional Assistant (IA) with Henrico County Public Schools (HCPS). James had a great first year with HCPS. However, the Assistive Technology (AT) on his laptop, which DBVI got him for work, was not compatible with some of the internal HCPS websites which James needed to access. James contacted CAP, where he learned that he has the right to access further services from his VR agency. dLCV contacted both DBVI and HCPS to see what the issues were. dLCV advocated on James' behalf, that he needs the same access to the internal websites as his colleagues, who do not have a visual impairment. Due to dLCV's advocacy, DBVI and HCPS' Information Technology (IT) departments got together to ensure that James has equal access to the internal information he needs to be successful as an IA. James started the 2022-23 school year with an appropriately functioning laptop with his Assistive Technology (AT). He was very grateful for dLCV's advocacy. He said, "I had no idea that I could go back to DBVI and get them to work with HCPS!"

### Starting Over

Monica was a resident at Bridges Treatment Center, a Psychiatric Residential Treatment Facility (PRTF). She was preparing for discharge and wanted to connect to services in her community. dLCV met with Monica, the VR agency, and staff from Bridges to discuss Monica's discharge to the community. We negotiated with the VR agency and Hughes, that both agencies have a responsibility to Monica to ensure she is ready for services in her local community. dLCV negotiated with both agencies that Pre-ETS should begin at Hughes before Monica is even discharged. Monica was successfully discharged to the community and she is working with the VR agency's Regional Transition Coordinator to get needed Pre-ETS now that she's living in a group home in her community. Monica is excited for the next chapter in her life.

### Let's Get Going.

Maria reached out to dLCV because she was exasperated with DARS. Maria faced several barriers trying to get her VR case opened. Maria needed assistance from DARS to get equipment needed to start a small voiceover business from her home. dLCV negotiated with VR staff and Maria to ensure that Maria's work with VR got off to a positive start. Due to our involvement in Maria's VR case, her eligibility for services was expedited and services began. The VR agency connected Maria to an organization who is assisting her to develop a small business plan so her dream of doing voiceover will soon be a reality. Maria told dLCV, "Y'all make everything better!"

### Why Wait?

Joel is a resident at Hughes Treatment Center, a PRTF. Joel wanted Pre-ETS while still at the PRTF. Hughes staff was very reluctant to allow Joel to receive any type of vocational services while at the PRTF. dLCV negotiated with Hughes and DARS to allow Joel to try Pre-ETS and see how it goes. Due to dLCV's advocacy and negotiation, Hughes and DARS are working together to give Joel vocational experiences while he's still at the PRTF. Joel is thriving in these new opportunities and he has hope that one day he will return to the community and be able to get a job.

### I'm on the Way!

Frederick has multiple disabilities and wants to get Pre-ETS from DARS. He is still in high school and due to a presentation from dLCV, Frederick's mother learned that Pre-ETS from the VR agency can start while Frederick is still in high school. Frederick's primary language is Spanish and he's had difficulty understanding what services he can get from DARS. dLCV assisted Frederick and his family to apply for services from DARS. Frederick is now working with a VR Counselor and is accessing Pre-ETS.

## 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 the RSA website via the internet. Information on transmittal of the form is found on pages 19 and 20 of the reporting instructions.

Name and Title of Authorized Certifying Official

I agree to submit this form by electronic means. By signing this form electronically, I certify under penalty of perjury that my answers are correct and complete to the best of my knowledge. I understand that an electronic signature has the same legal meaning and can be enforced in the same way as a written signature.

**Full Legal Name of Signer:**

Colleen Miller

**Certifying Official Title**

Executive Director

**By checking this box and typing my full legal name above, I am electronically signing this form.**

Yes

**Date Certified (mm/dd/yyyy)**

2022-10-17

### OMB Notice

OMB Control Number: 1820-0528, approved for use through 07/31/2023

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless such collection displays a valid OMB control number. Public reporting burden for this collection of information is estimated to average 16 hours per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. The obligation to respond to this collection is required to obtain or retain a benefit (Section 13 of the Rehabilitation Act, as amended). Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to U.S. Department of Education, Washington, D.C. 20202-4537 or email [ICDocketMgr@ed.gov](mailto:ICDocketMgr@ed.gov) and reference the OMB Control Number 1820-0528. Note: Please do not return the completed form to this address.

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