



We have the legal right of way.

DISABILITY RIGHTS OHIO'S FY 2021 PRIORITIES

Disability Rights Ohio is a non-profit organization with a mission to advocate for the human, civil, and legal rights of people with disabilities in Ohio.

We seek to fulfill this mission through numerous types of advocacy including systemic, individual, policy and, when necessary, through the legal system. Disability Rights Ohio strives to provide support to as many people as possible. In order to maximize our impact with the resources available, we seek community input every year to focus our priorities on issues where we can have the most effective impact.

This past year, the COVID-19 pandemic has had a devastating impact on all aspects of life for people with disabilities. For example, it has made it more difficult to get services and supports, to go to school, to work safely, to communicate with friends and family, and to vote. Disability Rights Ohio quickly made changes to how we assist people with disabilities to help meet some of these challenges, and our work over the next year is informed by the impact of a COVID-19 world.

Additionally, we have seen in an even more pronounced way the intersection of racial justice issues with disability rights. Our mission may be to advocate for the human, civil and legal rights of Ohioans with disabilities, but that is not in a vacuum. We know that the intersection of race and disability impacts our clients. Our mission, our vision and our strategic direction is about equality, freedom from discrimination, and empowering the voices of those who are frequently not valued or listened to. These values will guide how we implement our priorities and strive to do more to fight for justice and end discrimination in all its forms.

Disability Rights Ohio envisions a society in which people with disabilities are full and equal members in all areas, including:

A society in which people with disabilities enjoy the rights and opportunities of all people, particularly in the electoral process. This year, Disability Rights Ohio will:

- Engage in targeted voting outreach and systemic advocacy that is focused on

encouraging and assisting with participation in the election process (PAVA)

- Work to provide information and advocacy for those who wish to vote in the November 2020 General Election, including staffing a hot line on Election Day (PAVA)
- Evaluate the impact of COVID-19 on the election process, and after the election, study what went wrong and what went right (PAVA)
- A society in which people with disabilities are empowered. This year, Disability Rights Ohio will:
- Support self-advocates to empower their voices and the organizations they run (PADD, PAIMI, PAIR, PAAT, PATBI, PAVA)
- Continue work to expand supported decision-making as an alternative to guardianship with a focus on advocacy skill building and supported decision-making opportunities for transition age students (TCF, maybe ACL sub-grant)

A society in which people with disabilities make decisions about where, how and with whom they will live, and have access to needed services and supports. This year, Disability Rights Ohio will focus on:

- Systemic advocacy to address the disruption to services and supports caused by the COVID-19 pandemic including lack of access to effective day services in the developmental disability system and to community based mental health services, barriers to leaving institutions and accessing home and community based services, and lack of safe access to support services including a lack of personal protective equipment (PADD, PAIMI, PAIR, PAAT, PATBI)
- Advocating for investments and additional capacity in community services and safe, decent, affordable and integrated housing options to remedy the unnecessary segregation of individuals with mental illness and traumatic brain injury in nursing facilities (PAIMI, PATBI)
- Systemic advocacy on the rule for assessing needs and administering the waitlist for Medicaid waivers for individuals with intellectual and developmental disabilities, including continuing to work with state and local agencies to improve the assessment process going forward, and advocate for needed changes in the waiting list rule and system in 2021 (PADD, PATBI)
- Individual and systemic advocacy for individuals in a nursing facility because of a lack of access to home and community based services, including problems with assessing level of care and PASRR, waiting lists for Medicaid waivers, and lack of community providers (PAIR, PATBI, PAIMI, PADD, PAAT)
- Policy advocacy on investing in home and community-based services in all systems including educating policy makers at the state and federal level through state budget process and COVID-19 relief bills (PADD, PAIMI, PAIR, PATBI, PAAT)

- Evaluate how systemic racism affects people of color who have disabilities, including access to healthcare and to home and community-based services, particularly during the COVID-19 pandemic (PAIMI, PAIR, PADD, PAAT, PATBI)
- Advocacy to protect rights and redress discrimination by local government when zoning or other ordinances threaten integrated housing options for individuals with disabilities (e.g. restrictions on “group homes”) (PADD, PAIMI)
- Implementation of the **Ball v. DeWine** settlement agreement (PADD)
- Advocate for access to assistive technology so that individuals with disabilities can access health care and other support services, and maintain independence and effective communication during the COVID-19 pandemic as services move to telehealth and individuals in facilities are even more isolated from their communities (PAAT)

A society in which people with disabilities make decisions about where they learn. This year, Disability Rights Ohio will focus on:

- Providing information and advocacy tools to students and parents to help them navigate the COVID-19 pandemic learning environment (PADD, PAIR, PAAT, PAIMI, PATBI, CAP)
- Individual advocacy for students to access assistive technology and address equitable issues including:
 - length of school day/programming and curricula modifications,
 - access to IEP services, particularly mental health, related services and behavior supports, and
 - the lack of work experiences for transition age students (PAAT, CAP, PADD, PAIR, PAIMI, PATBI)
- Systemic advocacy to address barriers caused by COVID-19 pandemic and ensure students with disabilities have access to appropriate services and supports, including educating policy makers on how best to support students and families and bringing systemic complaints to address significant state or district-wide problems (PADD, PAIR, PAAT, PAIMI, PATBI, CAP)
- Policy advocacy on juvenile justice and school to prison pipeline issues, including educating policy makers on needed changes to School Resource Officer utilization (PADD, PAIMI, PAIR, PATBI)
- Implementation of the **Doe v. Ohio** settlement agreement, including development of state and local district plans (PADD, PAIMI, PAIR, PAAT, PATBI)
- Policy advocacy on restraint and seclusion, specifically advocating for a complaint process as part of ODE’s rule on seclusion and restraint (PADD, PAIMI, PATBI, PAIR)
- Implementing and supporting the Ingram White Castle Special Education Fellow

program

A society in which people with disabilities make decisions about where they work. Disability Rights Ohio will:

- Continue work on the Seneca Re-Ad matter to ensure the rights of individuals working in non-integrated work environments are protected, including minimum wage and reasonable accommodations necessary to eliminate discrimination (PABSS)
- Through the Client Assistance Program (CAP)
 - Participate in the State Rehabilitation Council to monitor and partner on the activities of the state vocational rehabilitation (VR) authority called Opportunities for Ohioans with Disabilities (OOD)
 - Address blanket denials by OOD through individual advocacy and litigation where services are denied without individual analysis or because of policies that conflict with federal law
 - Engage in targeted outreach to transition age youth to connect them to services and empower self-advocacy, and advocate for effective pre-employment transition services for youth
 - Address barriers to competitive employment for students and young adults transitioning from secondary education who need vocational rehabilitation services including help accessing higher education
 - Help individuals whose employment was impacted by COVID-19 by providing information about their rights under the ADA, and advocate for access to job training or other services to change, maintain or regain employment
- Advocate for access to assistive technology to help students transition from secondary education to competitive employment or job training programs, and to help employees with disabilities work more effectively in a COVID-19 pandemic work environment (PAAT)
- Provide benefits counseling through our WIPA program to Social Security beneficiaries returning to work (WIPA)

A society in which people with disabilities are free from abuse, neglect, and exploitation. Disability Rights Ohio will:

- Monitor a variety of facilities and other regulated entities with a focus on places most impacted by the COVID-19 pandemic including where people with disabilities are isolated (PAIMI, PADD, Rep Payee, PAIR, PATBI, PAAT)
- Investigate allegations of abuse and neglect in a variety of settings where necessary to ensure systems and service providers are held accountable, policy

changes are made, and individuals with disabilities are safe with a focus on allegations in institutions and state licensed facilities of:

- suspicious deaths,
- serious injury resulting in hospitalization,
- restraint and seclusion for long periods of time or frequent and reoccurring,
- sexual abuse and human trafficking (PAIMI, PADD, PAIR, PATBI)
- Policy advocacy for a more effective system to investigate allegations of abuse or neglect in state licensed mental health facilities, with a focus on facilities serving children (PAIMI, PATBI, maybe VOCA T-5)
- Engage in systemic advocacy in jails and prisons impacted by COVID-19 to ensure continuing access to mental health services and appropriate suicide prevention (PAIMI, PATBI)
- Engage in systemic advocacy to ensure effective communication and access to assistive technology that allows inmates with disabilities to ask for services or raise concerns, to access medical and mental health services, and to talk safely to an attorney and visitors during COVID-19 pandemic (PAAT, PAIR)
- Advocate for people with disabilities who are victims of crime (VOCA)
- Provide rights information and training for children and youth who may be victims of crime (VOCA T-5, T-2)
- Implement the Social Security representative payee review program, including outreach to places where beneficiaries receive services and investigate concerns about abuse, neglect or financial exploitation uncovered during reviews through SSA or P&A initiation (Rep Payee)

Disability Rights Ohio will continue to help individuals solve daily problems, with a special focus on the impact of COVID-19 on access to services, employment and housing. This includes:

- Providing helpful information and advice to maximize our ability to assist people with disabilities to advocate for their rights;
- Helping individuals enforce their rights and get the services they need by assisting individuals in fixing problems at the earliest possible opportunity. The following factors will be considered in deciding if we can help someone with individual advocacy:
 - Does the law support the individual's goal?
 - Can the individual's goal be achieved with the available remedies, such as negotiation or an administrative complaint?
 - Has the individual already tried to advocate without success?

- Is there a risk of physical harm or institutionalization?
- Does DRO have the resources to help the individual?

Disability Rights Ohio will also:

- Take necessary steps to enforce the statutory access under federal and state law to facilities, individuals and their records;
- Provide information and education on a range of disability policy and legal issues to state, local, and federal officials;
- Conduct outreach and training to people with disabilities, their families and advocates, with a focus on reaching underserved communities and diverse populations.