



Rhode Island Disability Law Center

The Designated Protection and
Advocacy System for Rhode Island

2019 Priorities

It is the **mission** of the Rhode Island Disability Law Center (RIDLC) to assist Rhode Islanders with differing abilities in their efforts to achieve full inclusion in society and to exercise their civil and human rights through the provision of legal advocacy. RIDLC employs various legal strategies in the pursuit of its work, including litigation where appropriate.

RIDLC administers nine federally funded programs, all of which have different purposes and requirements. Every year the agency establishes **priorities** to guide its work and provide a means for efficiently allocating its resources. Priorities are broken down into two categories: **systemic advocacy**, which impacts the broader disability community, and **individual case representation**.

Information (including relevant agency publications) **and referrals** are provided to individuals who request assistance on disability-related issues outside of identified priority areas.

Legal trainings on prioritized legal issues are available in response to requests made by organizations associated with the disability community as resources permit.

For federal fiscal year 2019, RIDLC has identified the following seven priority areas for its major systemic work:

1. **Promote person-centered planning** in state funded long term services and supports.
2. **Establish models of supported decision making** for persons alleged to lack capacity to make decisions independently so that decision making authority can be retained.
3. **Surveil segregated schools** to determine whether they are the most integrated and inclusive placements for students.
4. **Improve behavioral healthcare for prisoners with mental illness** in order to eliminate the use of solitary confinement
5. **Expand the state's capacity to provide community-based services** to persons with developmental disabilities who also have behavioral health needs.
6. **Safeguard the rights of Social Security beneficiaries** whose benefits are paid to and managed by representative payees, pursuant to referrals by the Social Security Administration.
7. **Advance full participation in the electoral process** by persons with disabilities.

Individual case selection priorities for 2019 will be focused in six areas as indicated below:

1. Safety and Guardianship

- a. Investigate reports of abuse and neglect when those reports are not responded to, investigated, and addressed in a timely and effective manner for the purpose of ensuring that the appropriate authorities do so and take legal action when necessary to protect victims of abuse and neglect.
- b. Represent a limited number of persons contesting a guardianship, a petition for guardianship, the scope of a guardianship, or the appointment of a particular person as a guardian, for the primary purpose of developing specific proposals for systemic reform.

2. Children's Education

- a. Represent students who are not provided appropriate school-to-adult transition planning and services.
- b. Represent students who have been abused or neglected in a school setting or who face truancy charges for disability-related reasons.
- c. Represent students with behavioral health needs who have been denied eligibility for special education.

3. Assistive Technology

- a. Represent persons denied or incurring delays in acquiring technology devices or services from public funding sources such as Medicare, Medicaid, school districts, and vocational rehabilitation.
- b. Represent persons seeking to enforce the state Consumer Enforcement of Assistive Technology Device Warranties Act and Hearing Aid Dealers and Fitters Act.

4. Employment

- a. Represent persons denied or incurring delays in receiving appropriate vocational rehabilitation, employment network, or independent living services.
- b. Represent persons in efforts to obtain appropriate Social Security Administration work incentives.
- c. Represent persons denied reasonable accommodations in employment when those accommodations are necessary to maintain or advance in employment, and represent Social Security beneficiaries who are otherwise discriminated against in employment.
- d. Represent Social Security beneficiaries concerning work-related Social Security Administration matters or other issues that constitute a barrier to employment.

5. Housing and Community-Based Services

- a. Represent persons who remain in hospitals or other restrictive environments due to a shortage of appropriate community alternatives.
- b. Represent persons denied home and community based services due to the state's determination of ineligibility or level of service based on nature or severity of disability or to lack of resources when such determination significantly impacts the person's liberty or autonomy.
- c. Represent persons denied reasonable accommodations, or otherwise discriminated against, in housing.

6. Government and Public Accommodations

- a. Represent persons denied physical accessibility, policy modifications, or auxiliary communication aids and services by state or local governments.
- b. Represent persons denied physical accessibility, policy modifications, or auxiliary communication aids and services by schools, colleges, universities, and testing services.
- c. Represent persons denied physical accessibility, policy modifications, or auxiliary communication aids and services by health care providers.
- d. Represent persons denied full participation in the electoral process.

The following factors will be considered when **determining acceptance of individual cases**:

1. Availability of financial and staff resources.
2. Strength of the evidence and legal grounds supporting the individual's claim.
3. Unavailability of effective alternative representation or resources.
4. Inability of the individual, his/her parent(s), legal guardian, or interested person to advocate.
5. Immediacy, severity, and duration of effect of the threatened harm to the individual.
6. Increased vulnerability of the individual based on social, economic, or minority group status.
7. Likelihood that a successful result in the individual's case will have a position impact on other individuals.

While not all factors need to be satisfied for a case to be accepted for representation, collectively they provide a means for allocating limited resources most effectively within Rhode Island's disability community by avoiding duplication of services, assisting those who are most in need, and ensuring that the greatest number of individuals possible may realize benefits from our advocacy efforts.

Priority numbers are only for the purpose of identification and the numerical value of a priority is no indication of its significance in relation to any other.

We welcome your feedback. If you would like to provide input on our priorities, you may direct your comments via email to info@ridlc.org or by regular mail to: Executive Director, Rhode Island Disability Law Center, 275 Westminster Street, Suite 401, Providence, RI 02903.

For additional information about the Rhode Island Disability Law Center please visit our website at ridlc.org or contact us at 401-831-3150.