

# PRIORITY SERVICE PLAN FY 2021

October 1, 2020 - September 30, 2021

DISABILITY RIGHTS MONTANA PROTECTS AND  
ADVOCATES FOR THE HUMAN, LEGAL, AND CIVIL  
RIGHTS OF MONTANANS WITH DISABILITIES WHILE  
ADVANCING DIGNITY, EQUALITY, AND SELF-  
DETERMINATION.

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**Disability Rights Montana has established  
the following priorities to achieve freedom from  
discrimination for people with disabilities.**

Following is a description of the priority areas, the rationale, and the work to be accomplished:

### **CORE SERVICES**

Disability Rights Montana is required to provide information on and referral to people with disabilities and the public inquiring about services, programs, and the civil rights of people with disabilities. Timely and accurate information and referral services will be provided to every person that contacts Disability Rights Montana.

### **ABUSE & NEGLECT**

Disability Rights Montana will work to protect from abuse and neglect all adults and children who are living in congregate living facilities such as residential care facilities, mental health facilities, and developmental disability facilities. Disability Rights Montana will review all reports of serious incidents, including abuse, neglect, death, seclusion, restraint (physical, mechanical, and chemical), and rights violations. Disability Rights Montana will assure proper investigations to identify system-wide failures and pursue legal strategies that target systemic change to assure safe, humane, and appropriate services and the least restrictive living environments.

### **DISCRIMINATION, EMPLOYMENT, BENEFITS, AND ACCESS (DEBA)**

People with disabilities who want to work will have access to rehabilitation services and benefits. Disability Rights Montana will: 1) provide technical assistance to people with disabilities seeking reasonable accommodations to maintain their employment; and 2) represent people who experience difficulty accessing vocational rehabilitation services, independent living services, and other services funded under the Rehabilitation Act.

People with disabilities often experience difficulty in physical and program access to public and government facilities and programs. Disability Rights Montana will continue its county services access monitoring project to assure people with disabilities can physically enter and access government services located in county courthouses and buildings.

People with disabilities often experience difficulty in their return to work efforts. Disability Rights Montana will ensure that Social Security Beneficiaries (SSB) are supported in their return to work efforts by providing accurate information or available work incentives and providing advocacy and legal representation when their rights are violated.

### **EDUCATION**

Every student deserves the opportunity to succeed in education. Disability Rights Montana's Special Education Unit is now at full staff for fiscal year 2021 with a full-time advocate and a

full-time attorney. The Special Education Unit is ready to serve the numerous families and students in obtaining the education they are entitled to. The impacts of COVID-19 have disrupted education across the nation, and issues are arising in schools, specifically in special education, at an increasing rate. Disability Rights Montana believes this to be one of the biggest issues facing the special education population this year and has thus made COVID-related special education advocacy an identifiable objective for FY21. Disability Rights Montana is also taking a deep dive into systemic improvement for special education this year to effect change for as many students and families as possible. Disability Rights Montana believes that increased collaboration between all agencies and stakeholders in the special education community will produce better outcomes for children. Through collaboration, advocacy, and litigation, Disability Rights Montana will protect the rights of students with disabilities to access educational programs, services, activities, and benefits free from discrimination on the basis of disability and to receive a free and appropriate public education.

## **REPRESENTATIVE PAYEE**

In March 2018, legislation was passed by the U.S. Senate to increase oversight and protection for some of our nation's most vulnerable citizens. The bill, called the Strengthening Protections for Social Security Beneficiaries Act (H.R. 4547), increased independent oversight of the Social Security Administration's Representative Payee Program.

Disability Rights Montana will conduct organizational and individual representative payee reviews as assigned by the Social Security Administration.

## **OUTREACH AND TRAINING**

In order to fully participate, exercise choice and self-determination, people with disabilities and the general public can benefit from disability rights and awareness training. Disability Rights Montana will sponsor disability rights and awareness training throughout the state with an emphasis on minority, under-served communities. Disability Rights Montana will produce and distribute an electronic newsletter quarterly and enhance its electronic presence.

People with disabilities experience difficulty in accessing and participating in the voting process. Disability Rights Montana will work with the people with disabilities, Clerks and Recorders, and the Secretary of State to identify barriers to voting and to develop and implement strategies to remove those barriers. Strategies will include surveying polling places for physical accessibility, training on disability awareness and etiquette, and accessible voting methods and technology.

## **POLICY**

Disability Rights Montana pursues policy work to preserve the gains made through individual advocacy and to address and correct system issues. Disability Rights Montana will monitor: 1) Monitor and participate in law, policy, and rule changes affecting the rights and opportunities of people with disabilities, and affecting the ability of DRM to serve people with disabilities; and 2) Educate law and policy makers through oral and written communications in legislative and executive branch forums.

## CORE SERVICES

**1. PRIORITY/GOAL STATEMENT: Disability Rights Montana will provide information, referral, and short-term assistance. DRM will develop and provide resource materials to people with disabilities and assist people with disabilities to register to vote.**

**Objective 1: Provide reliable, timely information and referral services to all callers.**

<b>Target Population:</b>	People calling Disability Rights Montana for information and referral
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<b>Target:</b>	100% of all callers (200 PAIMI)
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<b>Funding:</b>	*Eight Core Grants
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**Objective 2: Provide short-term assistance for non-priority issues to eligible persons with disabilities.**

<b>Target Population:</b>	People with disabilities requesting assistance with non-priority issues
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<b>Target:</b>	35 service requests (20 PAIMI)
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<b>Funding:</b>	PAIMI/PAAT/PAIR/PADD/PATBI/PAVA
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\* Eight Core Grants = PADD, PAIMI, PAIR, CAP, PAAT, PATBI, PABSS, PAVA

## ABUSE & NEGLECT

**1. PRIORITY/GOAL STATEMENT: Disability Rights Montana will protect people with disabilities in facilities from abuse, neglect, seclusion/restraint, violations of civil rights and protect their right to receive appropriate services with privacy, dignity, and autonomy.**

<b>Objective 1:</b>	<b>Identify, monitor, and investigate select instances of abuse, neglect, seclusion, restraint (+chemical restraint), and egregious violation of civil rights, affecting people with disabilities receiving services in public and private institutions and facilities and pursue legal remedies. Pursue/address systemic issues to effect change in practice, policy, rule or law.</b>	
	<b>Target Population:</b>	PAIMI, PATBI, or PAIR-eligible youth and adults living in or receiving treatment from public and private institutions and facilities.
	<b>Target:</b>	Review 100% of allegations (5 PAIMI, including 1 project)
	<b>Funding:</b>	PAIMI/PATBI/PAIR
<b>Objective 2:</b>	<b>Identify, monitor, and/or investigate select instances of abuse/neglect, seclusion, restraint (+chemical restraint), and egregious violation of civil rights at the Intensive Behavior Center (IBC) and pursue legal remedies. Pursue/address systemic issues to effect change in practice, policy, rule or law.</b>	
	<b>Target Population:</b>	All residents at IBC
	<b>Target:</b>	Review 100% of allegations
	<b>Funding:</b>	PADD

<b>2. PRIORITY/GOAL STATEMENT: Disability Rights Montana will protect people with disabilities living in community settings from abuse and neglect, violation of civil rights, and protect their right to receive appropriate services in the least restrictive environment.</b>							
<b>Objective 3:</b>	<b>Monitor, investigate, and bring legal action when appropriate against community service providers to protect people living in the community from abuse, neglect and rights violations and advocate for the provision of community services.</b>						
	<table border="1"> <tr> <td><b>Target Population:</b></td> <td>People with disabilities living in community services</td> </tr> <tr> <td><b>Target:</b></td> <td>2 service requests (1 PAIMI)</td> </tr> <tr> <td><b>Funding:</b></td> <td>PADD/PATBI/PAIR/PAIMI</td> </tr> </table>	<b>Target Population:</b>	People with disabilities living in community services	<b>Target:</b>	2 service requests (1 PAIMI)	<b>Funding:</b>	PADD/PATBI/PAIR/PAIMI
<b>Target Population:</b>	People with disabilities living in community services						
<b>Target:</b>	2 service requests (1 PAIMI)						
<b>Funding:</b>	PADD/PATBI/PAIR/PAIMI						
<b>3. PRIORITY/GOAL STATEMENT: Disability Rights Montana will protect people with disabilities from abuse, neglect, seclusion/restraint, violations of civil rights and protect their right to receive appropriate services with privacy, dignity and autonomy during the COVID-19 pandemic.</b>							
<b>Objective 4:</b>	<b>Monitor public and private institutions and community service providers for conformance with accepted policies, practices and protocols related to COVID-19 and identify and investigate select instances of abuse, neglect, seclusion/restraint and egregious violations of civil rights which are directly related to COVID-19 and affect people with disabilities and pursue legal remedies where appropriate. Pursue/address systemic issues to effect change in practice, policy, rule or law related to the COVID-19 response.</b>						
	<table border="1"> <tr> <td><b>Target Population:</b></td> <td>All people with disabilities living in or receiving treatment from public and private institutions and those living in the community.</td> </tr> <tr> <td><b>Target:</b></td> <td>2 service requests (1 PAIMI) / 1 project</td> </tr> <tr> <td><b>Funding:</b></td> <td>PADD/PAIMI/PAIR/PATBI</td> </tr> </table>	<b>Target Population:</b>	All people with disabilities living in or receiving treatment from public and private institutions and those living in the community.	<b>Target:</b>	2 service requests (1 PAIMI) / 1 project	<b>Funding:</b>	PADD/PAIMI/PAIR/PATBI
<b>Target Population:</b>	All people with disabilities living in or receiving treatment from public and private institutions and those living in the community.						
<b>Target:</b>	2 service requests (1 PAIMI) / 1 project						
<b>Funding:</b>	PADD/PAIMI/PAIR/PATBI						

## REPRESENTATIVE PAYEE

**1. PRIORITY/GOAL STATEMENT: Strengthens oversight of representative payees by performing onsite reviews of payee performance, on behalf of the Social Security Administration (SSA).**

<b>Objective 1:</b>	<b>Target Population:</b>	Organizational and individual representative payees as identified by the SSA.
	<b>Target:</b>	All SSA required reviews
	<b>Funding:</b>	PABRP
<b>Objective 2:</b>	<b>Target Population:</b>	Organizational and individual representative payees identified and nominated by DRM for review.
	<b>Target:</b>	1 representative payee identified by DRM
	<b>Funding:</b>	PABRP



**DISCRIMINATION, EMPLOYMENT, BENEFITS,  
AND ACCESS (DEBA)**

**1. PRIORITY/GOAL STATEMENT: Disability Rights Montana will promote independent living, meaningful employment, and access to governmental services and programs and public accommodations, for people with disabilities.**

<b>Objective 1:</b>	<b>Review cases, provide short-term assistance, technical assistance, and represent individuals who have been discriminated against on the basis of disability or denied reasonable accommodations by employers, using such individualized strategies as filing administrative complaints, lawsuits, and appeals.</b>	
	<b>Target Population:</b>	People with disabilities who are employed or seeking employment
	<b>Target:</b>	20 service requests (1 PAIMI)
	<b>Funding:</b>	PAIR/CAP/PAAT/PATBI/PAIMI/PADD

**2. PRIORITY/GOAL STATEMENT: Ensure that people with disabilities receive appropriate services from Montana Vocational Rehabilitation, Independent Living Centers, and other programs funded by the Rehabilitation Act.**

<b>Objective 2:</b>	<b>Represent qualified individuals in accordance with the Client Assistance Program (CAP) program requirements to include applicants and clients of the State Vocational Rehabilitation Program.</b>	
	<b>Target Population:</b>	People with disabilities receiving or seeking services from Vocational Rehabilitation and other programs funded by the Rehabilitation Act
	<b>Target:</b>	20 service requests
	<b>Funding:</b>	CAP/PABSS

<b>Objective 3:</b>	<b>Address institutional concerns and issues with the delivery of services by the State Vocational Rehabilitation Program through periodic communication with the Chief of Field Services for Montana Vocational Rehabilitation and participation on the State Vocational Rehabilitation Program.</b>	
	<b>Target Population:</b>	People with disabilities receiving or seeking services from Vocational Rehabilitation and other programs funded by the Rehabilitation Act
	<b>Target:</b>	2 projects
	<b>Funding:</b>	CAP/PABSS
<b>Objective 4:</b>	<b>Participate in training, outreach, and communication to address services to under-served populations including American Indians and individuals age 14 - 24.</b>	
	<b>Target Population:</b>	People with disabilities receiving or seeking services from Vocational Rehabilitation and other programs funded by the Rehabilitation Act
	<b>Target:</b>	2 projects
	<b>Funding:</b>	CAP/PABSS
<b>3. PRIORITY/GOAL STATEMENT: Challenge discrimination on the part of government entities and ensure that people with disabilities enjoy equal access to all governmental benefits and services.</b>		
<b>Objective 5:</b>	<b>Review cases, provide technical assistance, and represent individuals who have been denied meaningful access to benefits or services or otherwise discriminated against on the basis of disability by governmental entities, using such individualized strategies as filing administrative complaints, lawsuits, and appeals.</b>	
	<b>Target Population:</b>	People with disabilities who are using or seeking access to government benefits or services
	<b>Target:</b>	10 service requests (1 PAIMI)
	<b>Funding:</b>	PAIR/PAAT/PAVA/PADD/PATBI/PAIMI

<b>4. PRIORITY/GOAL STATEMENT: Challenge discrimination on the part of places of public accommodation and ensure that people with disabilities enjoy equal access, particularly physical access, to places of public accommodation.</b>		
<b>Objective 6:</b>	<b>Review cases, provide technical assistance, and represent individuals who have been discriminated against or denied meaningful access to the benefits or services of places of public accommodation, using such individualized strategies as filing administrative complaints, lawsuits, and appeals.</b>	
	<b>Target Population:</b>	People with disabilities seeking access to places of public accommodation
	<b>Target:</b>	10 Service Requests (1 PAIMI)
	<b>Funding:</b>	PAIR/CAP/PADD/PAAT/PATBI/PAIMI
<b>5. PRIORITY/GOAL STATEMENT: Ensure that Social Security Beneficiaries (SSB) are supported in their return to work efforts by providing accurate information or available work incentives and providing advocacy and legal representation when their rights are violated.</b>		
<b>Objective 7:</b>	<b>Investigate and review any complaint of improper or inadequate services provided to Social Security Beneficiaries (SSB) with disabilities by service providers, employers, or other entity involved in the SSB return to work effort.</b>	
	<b>Target Population:</b>	SSB with disabilities with a complaint of improper or inadequate services by service providers, employers, or other entities
	<b>Target:</b>	5 Service Requests
	<b>Funding:</b>	PABSS/CAP

<b>Objective 8:</b>	<b>Provide information and referral to Social Security Beneficiaries (SSB) with disabilities about work incentives and employment, and other SSA-related issues.</b>	
	<b>Target Population:</b>	SSB with disabilities calling about work incentives and employment
	<b>Target:</b>	100% of all SSB callers
	<b>Funding:</b>	PABSS/CAP
<b>Objective 9:</b>	<b>Provide consultation to and legal representation on behalf of Social Security Beneficiaries with disabilities to protect their rights.</b>	
	<b>Target Population:</b>	SSB with disabilities desiring to work
	<b>Target:</b>	10 Service Requests
	<b>Funding:</b>	PABSS/CAP

## EDUCATION

**1. PRIORITY/GOAL STATEMENT: Disability Rights Montana will collaborate with state-governmental agencies, independent organizations, and community-based groups to improve educational and transition outcomes for students with disabilities of all ages.**

**Objective 1: Coordinate and engage stakeholders across the state of Montana to locate, establish, and enhance services and supports for the benefit of families and students in special education.**

<b>Target Population:</b>	Stakeholders who serve students with disabilities
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<b>Target:</b>	1 Project
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<b>Funding:</b>	PADD/PAIMI/PAIR/PATBI/PAAT/PAVA
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**2. PRIORITY/GOAL STATEMENT: Disability Rights Montana will protect the rights of students with disabilities to access educational programs, services, activities, and benefits free from discrimination on the basis of disability and to receive a free and appropriate public education.**

**Objective 2: Review cases, provide information and referral, technical assistance and/or short-term assistance to students and families with qualifying disabilities to obtain the supports and services they need to progress in their education.**

<b>Target Population:</b>	All callers requesting information and referral
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<b>Target:</b>	20 Service Requests
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<b>Funding:</b>	PADD/PAIMI/PAIR/PATBI/PAAT/PAVA
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**Objective 3: Protect the rights of students with disabilities in accessing all educational rights while receiving instruction in whatever manner school is provided during the COVID-19 pandemic.**

<b>Target Population:</b>	Students with disabilities
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<b>Target:</b>	1 Project / 8 Service Requests
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<b>Funding:</b>	PADD/PAIR/PATBI/PAAT/PAVA
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<b>Objective 4:</b>	<b>Provide advocacy and/or legal representation in cases that present education, school-related issues of particular severity as determined by the Education Work Unit.</b>	
	<b>Target Population:</b>	Students with disabilities
	<b>Target:</b>	2 Service Requests
	<b>Funding:</b>	PADD/PAIR/PATBI/PAAT/PAVA
<b>3. PRIORITY/GOAL STATEMENT: Disability Rights Montana will protect the rights of students with disabilities becoming of majority to prevent unnecessary and overbroad guardianships.</b>		
<b>Objective 5:</b>	<b>Provide information, training, and advocacy on least restrictive options as an alternative to guardianships to families and students through transition of educational rights programming in special education.</b>	
	<b>Target Population:</b>	Students with disabilities eligible for transition services
	<b>Target:</b>	1 Project / 2 Service Requests
	<b>Funding:</b>	PADD/PAIR/PATBI/PAAT/PAVA

## OUTREACH/TRAINING

### 1. PRIORITY/GOAL STATEMENT: Disability Rights Montana will promote disability rights and awareness and keep the public informed of its activities.

<b>Objective 1:</b>	<b>Provide and sponsor disability-rights-related awareness and training events throughout the state targeting minority and under-served persons with disabilities.</b>	
	<b>Target Population:</b>	People with disabilities, minority groups, first responders, and the general public.
	<b>Target:</b>	20 events (10 PAIMI) (2 in each region)
	<b>Funding:</b>	*Eight Core Grants
<b>Objective 2:</b>	<b>Produce and disseminate an electronic newsletter and publications.</b>	
	<b>Target Population:</b>	People with disabilities and the general public
	<b>Target:</b>	Quarterly Electronic newsletters
	<b>Funding:</b>	*Eight Core Grants
<b>Objective 3:</b>	<b>Enhance DRM's interactive electronic presence (website) to leverage technology to distribute information and receive input.</b>	
	<b>Target Population:</b>	People with disabilities and the general public
	<b>Target:</b>	Enhance website
	<b>Funding:</b>	*Eight Core Grants
* Eight Core Grants = PADD, PAIMI, PAIR, CAP, PAAT, PATBI, PABSS, PAVA		
<b>2. PRIORITY/GOAL STATEMENT: Disability Rights Montana will promote independent and private voting for people with disabilities, through education and training activities.</b>		
<b>Objective 4:</b>	<b>Provide and sponsor voter education and registration events for people with disabilities throughout Montana.</b>	
	<b>Target Population:</b>	People with disabilities and the general public
	<b>Target:</b>	People with disabilities
	<b>Funding:</b>	PAVA

<b>Objective 5:</b>	<b>Work with Secretary of State, Clerks and Recorders, election officials, disability community, and the general public to ensure that people with disabilities have equal access to the voting process.</b>	
	<b>Target Population:</b>	People with disabilities who vote or seek to vote
	<b>Target:</b>	1 project
	<b>Funding:</b>	PAVA



## POLICY

**1. PRIORITY/GOAL STATEMENT: Disability Rights Montana will promote policies, statutes, and regulations in the State of Montana that are reflective and responsive of the equal, civil, and legal rights of people with disabilities.**

<b>Objective 1:</b>	<b>Monitor and respond to law, policy, and rule changes affecting the rights and opportunities of people with disabilities and affecting the ability of DRM to serve people with disabilities between legislative sessions.</b>
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<b>Target Population:</b>	People with disabilities who are the subject of laws, policy, and rules of the State of Montana.
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<b>Target:</b>	Six projects (1 PAIMI)
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<b>Funding:</b>	*Eight Core Grants; Unrestricted Funds
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<b>Objective 2:</b>	<b>Educate law and policy makers through oral and written communications in legislative and executive branch forums during the state legislative session and in legislative interim committee forums.</b>
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<b>Target Population:</b>	People with disabilities eligible for DRM services.
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<b>Target:</b>	Six projects (1 PAIMI)
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<b>Funding:</b>	*Eight Core Grants; Unrestricted Funds
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\* Eight Core Grants = PADD, PAIMI, PAIR, CAP, PAAT, PATBI, PAVA, PABSS

## CIVIL RIGHTS

**1. PRIORITY/GOAL STATEMENT: Disability Rights Montana will increase protection and recognition of the rights of people with disabilities through advocacy and/or legal representation.**

<b>Objective 1:</b>	<b>Provide advocacy and/or legal representation for people with disabilities in cases with the potential for establishing precedent, enforcing and clarifying constitutional and other rights. <i>This can only be used with prior approval of the Executive Director.</i></b>	
	<b>Target Population:</b>	All people with disabilities who are eligible for DRM services.
	<b>Target:</b>	1 PAIMI
	<b>Funding:</b>	*Eight Core Grants
* Eight Core Grants = PADD, PAIMI, PAIR, CAP, PAAT, PATBI, PAVA, PABSS		
<b>Objective 2:</b>	<b>In selected cases, DRM will provide advocacy and/or legal representation to remove guardianship and implement a supported decision-making agreement.</b>	
	<b>Target Population:</b>	People with disabilities who have a guardianship and want it removed and to replace it with SDMA
	<b>Target:</b>	5 Service Requests
	<b>Funding:</b>	PADD/PAIMI/PAIR/PATBI