

# Disability Rights South Dakota

## Proposed FY 2021 Priorities

*Our funding sources use varying terminology. Some refer to annual “goals and priorities.” Others refer to annual “goals and objectives” or “priorities and objectives.” The DAD system uses “priorities and objectives.” To avoid confusing terminology, this document is being referred to generally as agency “priorities.” For discussion purposes, we will simply refer to the section/subsection.*

### **1.0 Abuse / Neglect: Individuals with disabilities will be free from abuse and neglect and live in healthier, safer or otherwise improved facility or community settings.**

- 1.1 Assist individuals with disabilities through case services by responding to allegations of abuse, neglect, or rights violations in facilities and community settings, with emphasis on cases that have the potential for systemic impact.
- 1.2 Monitor facilities and community settings for abuse, neglect, rights violations, and safety.
- 1.3 Conduct investigations in facilities and community settings in response to allegations of abuse, neglect, rights violations, and safety of residents.

### **2.0 Community Access: Protect the rights of South Dakotans with disabilities to live in the most integrated setting.**

- 2.1 Assist individuals with disabilities through case services to be able to live in less restrictive residential settings and/or have improved access to services, businesses, and programs to enable them to participate more fully in community life, with emphasis given to cases that have the potential for systemic impact.
- 2.2 Assist individuals through case services to access assistive technology devices and services to help ensure their ability to live more independently, including assisting people to access the TAD and TED programs.
- 2.3 Assist individuals with housing opportunities and architectural accessibility barriers through case services to experience less disability-related discrimination, rights violations, and exploitation.
- 2.4 Assist individuals with disabilities through case services to have greater participation in their person-centered ISP planning, receive person-directed services from their conflict free case management, and assist individuals subject to termination of services.
- 2.5 Through systemic efforts, South Dakota will transition to person-centered rules structure that supports their rights to maintain their current placement until a new appropriate placement can be secured.

**3.0 Students with disabilities will be free of rights restrictions and provided a free appropriate public education in their least restrictive environment, including moving them toward independent living and, depending on their individual goals, secondary schooling or employment upon graduation.**

- 3.1 Assist students with disabilities in schools or daycare centers through case services to be protected against illegal disciplinary measures, the use of inadequate behavioral planning, and actions taken by the school or daycare which contribute to the 'school-to-prison pipeline', with emphasis given to cases that have the potential for systemic impact.
- 3.2 Assist students with disabilities through case services to experience fewer instances of improper restraint and seclusion, with emphasis given to cases that have the potential for systemic impact.
- 3.3 Assist transition-aged students with disabilities through case services to be provided appropriate transition planning and services, with emphasis given to cases that have the potential for systemic impact.
- 3.4 Assist students with disabilities through case services to have greater access to assistive technology devices and services in the school setting, with emphasis given to cases that have the potential for systemic impact.

**4.0 Employment: Remove barriers to employment for persons with disabilities.**

- 4.1 Assist individuals through case services who want to move from sheltered work to competitive integrated jobs but are being inappropriately prevented from doing so by providers, guardians, or employers, with emphasis given to cases that have the potential for systemic impact.
- 4.2 Assist individuals through case services who have been discriminated against or have not been provided reasonable accommodation which has had an adverse effect on their ability to maintain employment, with emphasis given to cases that have the potential for systemic impact.
- 4.3 Assist applicants and clients of projects, programs, and facilities funded under the Rehabilitation Act who feel that they are not receiving the protections of the act or are not being afforded proper due process through case services.
- 4.4 Assist individuals through case services by supporting the use of assistive technology devices and services in employment, training, and other related areas to improve independence, personal choice and employment outcomes.
- 4.5 Assist individuals through case services and I&R in securing, maintaining, and regaining employment through implementation of the goals set out by the Social Security Administration within the PABSS grant.

**5.0 Guardianship Alternatives: Increase alternatives to full guardianships.**

- 5.1 Assist individuals under or facing guardianship and/or conservatorships through case services by providing information and education about their rights as a protected person, alternatives to guardianship, and the duties of their guardians and/or conservators.
- 5.2 Assist individuals with disabilities through case services with terminating or modifying an established guardianship and/or conservatorship, where appropriate.

**6.0 Voting: People with disabilities will fully exercise their individual and constitutional right to participate in the electoral process.**

- 6.1 DRSD staff will participate in advocacy and education efforts revolving around Help America Vote Act (HAVA) implementation efforts.
- 6.2 Assist individuals with disabilities in filing complaints under the State based administrative grievance procedure required by HAVA
- 6.3 Represent individuals with disabilities in any hearing that may be held regarding the complaint.  
42 USC 15461
- 6.4 DRSD staff will provide education, training, and outreach to election officials, poll workers, and election volunteers regarding the rights of voters with disabilities.

**7.0 Miscellaneous**

- 7.1 Represent individuals with disabilities determined to meet an exception to priorities per DRSD policy [Operations Manual, II. Client Services, §4.9].
- 7.2 Conduct DRSD systemic activities (Boards and Committees, Educating Policymakers, Education/Training, General Public Information Activities, Not Selected, Other Systemic Activities (Non-litigation), Outreach/PR, Staff Development, Systemic Litigation/Class Action, Unserved/Resources)
- 7.3 Provide Technical Assistance/Self-Advocacy case services to eligible individuals with disabilities.
- 7.4 Provide Information and Referral (I&R) services to eligible individuals with disabilities and those who are calling on behalf of or about individuals with disabilities.