

Disability Rights Texas Strategic Priorities

October 1, 2014 – September 30, 2018

Our Priority-Setting Process

Disability Rights Texas (DRTx), like many nonprofit and legal service organizations, has a big job to do with limited funds and staff positions. To be successful and achieve our mission, we must use every dollar and position in the most effective way we can.

Toward that end, every four years, the DRTx Board of Directors decides which strategic priorities will direct our work. We start by asking people in the disability community about what's important to them. We go to great lengths to get as much feedback from as many people and groups as we can. We learn from paper and electronic surveys, focus groups, listening sessions, and public forums from across the state.

In setting priorities, the Board weighs the significant problems identified by the disability community along with the activities that are most related to our mission. Federal law and our funders' requirements play a role in our priorities, too.

We are required to serve a wide range of disability populations and offer a lot of different types of services. The priorities reported here reflect many hours of serious thinking and hard work to find ways to offer the most effective services possible to the largest number of people with disabilities we can—with the funding and staff we have.

The strategic priorities are: Living in the Community; Civil Rights; Safety, Protection, and Support in Texas Institutions; Health Care; Going to Public School; Housing, Employment, Access and Transportation; Protection and Support in Foster Care.

Sometimes, unexpected things come up that might have an impact on our service priorities. The Board reviews the priorities at least once every year—to make sure we're putting our money and our work where it's most needed.

What does this mean to the people with disabilities we serve?

As much as we might want to, limited staffing and funding means we can't take every case that comes to us. In making the hard decision, we first look to make sure the case is within our strategic priorities. Beyond that, the Board asks staff to consider other things in deciding whether to accept a case:

1. Is there a good chance of success?
2. How much staff time, expertise, and expense will be needed?
3. Given their current workload, can staff work on this case effectively?
4. How does it fit with our funding sources and priority areas?
5. If successful, how much would this case benefit other people with disabilities?

Does DRTx ever serve cases that don't fall within the strategic priorities?

Sometimes. The DRTx Executive Director is allowed to accept a few cases that represent a historically underserved ethnic community or have other special circumstances. These cases can't take up a lot of staff time or funding.

Living in the Community

ACCESS TO COMMUNITY SUPPORTS AND SERVICES

VISION: All people with disabilities—including those with complex medical and behavioral needs—live in the community with their choice of necessary supports and services.

- Goal 1** People with disabilities can move from institutions to the community because they have the information and help they need through Medicaid and other supports and services that are:
- Timely and available when needed.
 - Person-directed.
 - Meaningful.
 - Well-planned and carried out.
- Goal 2** People with disabilities can make their own life decisions about the community services and supports they need because they have learned how to make their own decisions.
- Goal 3** People who are deaf, hard of hearing, unable to speak or have other communication needs—in institutions or the community—can express their own interests and preferences because they get communication testing and assessments, technology, supports and services that meet their needs.
- Goal 4** There is more money available for home and community-based services because long-term care institutions (such as Intermediate Care Facilities and State Supported Living Centers) are closed and this money will be used instead to support people in the community.
- Goal 5** People with disabilities who have complex medical or behavioral needs don't have to stay in institutions because they can get high-quality supports and services that will help them be as healthy and independent as possible.
- Goal 6** People with disabilities living in the community are not at risk of being placed in an institution because they have the information and help they need through Medicaid and other supports and services that are:
- Timely and available when needed.
 - Person-directed.
 - Meaningful.
 - Well-planned and carried out.
- Goal 7** People with disabilities living in or moving to community group homes are not discriminated against by local government, homeowners associations, or others.

Civil Rights

ABUSE AND NEGLECT

VISION: People with disabilities are not abused or neglected—whether they live on their own in the community or in group homes, nursing homes, or other institutions.

- Goal 1** Claims of abuse, neglect, or other mistreatment by a caregiver or service provider are fully investigated in keeping with the law.

RESTRAINT & SECLUSION

VISION: People with disabilities are not restrained or isolated (separated from others) illegally.

- Goal 1** People with disabilities are not restrained, isolated (separated from others), or given emergency medicine in any way that is not allowed by law or best practices.

CIVIL RIGHTS

VISION: People with disabilities have the same rights given to everyone.

- Goal 1** People with disabilities are actively involved in planning for their treatment and do not receive treatment without agreeing to it.
- Goal 2** People with disabilities understand and know how to use their rights, including what to do if a service provider takes away their rights.
- Goal 3** The rights of people with disabilities are protected in the law enforcement, criminal justice, and juvenile justice systems.
- Goal 4** People with disabilities get due process (respect of a person’s legal rights) and their civil rights are fully protected in judicial or administrative hearings.
- Goal 5** People with disabilities are not placed under guardianship when they don’t need it and unnecessary guardianships are removed. If a person is under guardianship, it is limited so that as few rights as possible are restricted.
- Goal 6** People applying for or getting independent living services from the Department of Assistive and Rehabilitative Services (DARS) or a center for independent living (CIL) know what their rights are and how to protect them.

Safety, Protection, and Support in Texas Institutions

INSTITUTIONS

VISION: All people with disabilities who live in institutions are safe, healthy, respected, treated with dignity, and supported to lead meaningful lives.

Note: DRTx defines “institutions” as places that people go to live to get long-term care or treatment—away from their own or family homes. Some examples are nursing homes, intermediate care facilities (ICFs), and state supported living centers (SSLCs). For this priority, we don’t include places, such as state prisons, that are operated by the Texas Department of Criminal Justice.

Goal 1 People living in specific, targeted Texas institutions (listed in the chart below) are better protected from rights abuses, abuse, and neglect because DRTx makes regular visits to check up on known issues and look for problems.

(Important: The institutions listed in the chart are picked for active monitoring, but DRTx will respond to any request for services from a resident, or their guardian, who lives in an institution that isn’t listed in the chart.)

Goal 2 People who live in any state-run institution know how to contact DRTx because regional offices make sure that posters with contact information are posted where residents can see them.

DRTx Regions’ Regular Presence in Institutions	
Central	<ul style="list-style-type: none"> ▪ Austin State Hospital ▪ Austin State Supported Living Center ▪ Mexia State Supported Living Center ▪ Texas Juvenile Justice Department – Mart
North	<ul style="list-style-type: none"> ▪ Denton State Supported Living Center ▪ Green Oaks, Dallas County Jail (Pilot for Jail-based Competency Restoration) ▪ Terrell State Hospital ▪ Wichita Falls State Hospital ▪ Vernon State Hospital
East	<ul style="list-style-type: none"> ▪ Ben Taub Psychiatric Center ▪ Harris County Psychiatric Center ▪ Lufkin State Supported Living Center ▪ Montgomery County Mental Health Treatment Facility ▪ Richmond State Supported Living Center ▪ Rusk State Hospital
South	<ul style="list-style-type: none"> ▪ Corpus Christi State Supported Living Center ▪ Kerrville State Hospital ▪ Rio Grande State Center ▪ Rio Grande State Supported Living Center ▪ San Antonio State Hospital ▪ San Antonio State Supported Living Center ▪ South Texas Behavioral Health
West	<ul style="list-style-type: none"> ▪ Abilene State Supported Living Center ▪ Acadia Abilene Behavioral Health ▪ Big Spring State Hospital ▪ Lubbock State Supported Living Center ▪ San Angelo State Supported Living Center ▪ Sunrise Canyon Hospital ▪ TrustPoint
El Paso	<ul style="list-style-type: none"> ▪ El Paso Behavioral Health System ▪ El Paso Psychiatric Center ▪ El Paso State Supported Living Center

Health Care

HEALTH CARE ELIGIBILITY AND ACCESS

VISION: People with disabilities and/or severe, chronic or long-term illnesses—living in community settings or institutions—have health care that provides the right care and services.

Goal 1 People with disabilities who are eligible for public health benefits have timely access to the care and long-term supports they are entitled to, including:

- Health services.
- Mental health services.
- Assistive technology.
- Durable medical equipment.
- Other disability-related services.

Goal 2 People with disabilities know and understand their legal rights in receiving public health and/or mental health benefits, including their right:

- To be notified about changes to their benefits.
- To appeal (ask for a change) decisions that affect their health care or long-term supports.
- To a fair hearing (a person's chance to explain their case to a judge).

Going to Public School

FREE APPROPRIATE PUBLIC EDUCATION (FAPE) FOR STUDENTS WITH DISABILITIES

VISION: Students with disabilities are successful in school because public schools:

- Follow all special education requirements.
- Use “best practices.”
- Are held responsible for student success.
- Provide parents with the information they need to be effective advocates for their children.

Goal 1 The Texas Education Agency (TEA) enforces and monitors compliance with all laws, rules, and policies related to FAPE.

Goal 2 Texas laws and regulations require public schools to give students with disabilities equal access to the services and resources that all students get in the least restrictive setting.

Goal 3 TEA and public schools give parents, adult students, and advocates information, training, and short-term help with legal issues that affect students with disabilities.

UNDERSERVED POPULATIONS

VISION: All students with disabilities from underserved groups (because of disability, economic, and/or cultural factors) get a free appropriate public education.

Goal 1 Students with disabilities in public schools whose families are underserved get services they need to learn and make progress on other goals.

CHILD FIND

VISION: All students with disabilities who need special education are identified and evaluated because public schools comply with federal “Child Find” rules.

Goal 1 All public schools refer, evaluate and serve students who likely need special education services.

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Going to Public School (continued)

INCLUSION

VISION: Students with disabilities go to class with children who do not have disabilities and are given supports they need to socialize and succeed in regular education classrooms.

- Goal 1** Students with disabilities are included with students without disabilities in their age group in classrooms and lessons, to the largest degree possible.

ASSISTIVE TECHNOLOGY

VISION: Students with disabilities make progress in public school because they have the assistive technology they need and training to use it.

- Goal 1** Students with disabilities receive testing and evaluations to find out the best assistive technology devices and services for them, and students, parents, and school staff are trained on the right way to use the technology.

TRANSITION SERVICES

VISION: Students with disabilities leave school prepared for life as adults in the community.

- Goal 1** Students with disabilities age 14 and older get transition evaluations, planning, and services that meet state and federal laws and include:
- Supported decision making.
 - Self-advocacy skills training.
 - Information about community supports and Social Security work benefits.

DISCIPLINE

VISION: Students who, because of a disability, need help to behave appropriately in school, are given positive planning and supports and are not restrained, pushed out of school, referred to law enforcement, or otherwise mistreated .

- Goal 1** Students with disabilities in public schools are given positive behavior direction and support. Students in all alternative settings get a free appropriate public education (FAPE).
- Goal 2** Students with disabilities are not wrongly disciplined because public schools follow state and federal laws for discipline, including:
- Not using restraints (physical or chemical).
 - Not isolating students (separating them from others).
 - Not sending students home.
 - Not suspending students.
 - Not removing students from the classroom or school.
 - Not turning students over to law enforcement.

Housing, Employment, Access and Transportation

HOUSING

VISION: People with disabilities are able to access affordable, accessible, and integrated homes or apartments where they choose to live.

- Goal 1** Through enforcement of fair housing and other laws, people with disabilities are protected from discrimination in living where they choose.
- Goal 2** Through development of public policy, accessible, affordable, and integrated housing becomes available to people with disabilities. Architectural modifications (physical changes to a building) and universal design (making a building usable by all people) are regular housing practices.

EMPLOYMENT

VISION: All people with disabilities have the opportunity to work.

- Goal 1** People with disabilities are employed, to the maximum extent possible, in integrated and competitive job settings of their choice rather than in sheltered or below minimum wage job settings.
- Goal 2** Through enforcement of federal and state employment and civil rights laws, employers covered by federal and state law comply with:
- Discrimination laws that protect people with disabilities while at work or while trying to get a job.
 - Workers' rights, such as the right to disability-related accommodations (reasonable adjustment to a job or work location that makes it possible for an individual with a disability to perform job duties)

ACCESS TO GOVERNMENT, PUBLIC SERVICES & PUBLIC ACCOMMODATIONS

VISION: People with disabilities have full access to all government buildings, programs, and services.

- Goal 1** Federal and state laws and policies are enforced so that government agencies or their agents, colleges, trade schools, or other organizations that get government funds, and private businesses do not discriminate against people with disabilities.
- Goal 2** People with disabilities are able to register and vote because federal and state voting laws that protect their rights are enforced.

TRANSPORTATION

VISION: People with disabilities have full and equal access to public and private transportation.

- Goal 1** People with disabilities can use safe, reliable, and accessible transportation. Public transportation authorities, para-transit systems, and private transportation companies are in full compliance with federal and state discrimination laws and policies.

Protection and Support in Foster Care

REPRESENTING CHILDREN IN FOSTER CARE PROGRAM

VISION: Children with disabilities receive all the services they need when they are in the custody of the State.

- Goal 1** Children with disabilities get the educational, health, and community services they need when they are in the custody of the State because they have been abused or neglected.