



Ways to Work Collaboratively to Produce Positive Reentry Outcomes

For the most vulnerable population, youth with disabilities

Why single out youth with disabilities

- ▶ Transition/Re-Entry is arguably the most critical component of correctional education. If this process is unsuccessful, youth are more likely to reoffend and return to confinement.
[www.edjj.org/focus/prevention/JJSE/TOOLS%20Step%209%20\(5-9-07\).pdf](http://www.edjj.org/focus/prevention/JJSE/TOOLS%20Step%209%20(5-9-07).pdf).
- ▶ Research has consistently shown that justice system involved youth need assistance in returning to school (Bullis, Yovanoff, Mueller, & Havel, 2002; Coffey & Gemignani, 1994; Griller-Clark, 2003; Griller-Clark, Rutherford & Quinn, 2004), and have difficulty entering and succeeding in competitive work (Bullis & Cheney, 1999; Coffey & Gemignani, 1994).
- ▶ The challenge of successfully reintegrating youth from confinement into school and/or work is even further exacerbated when these youth have disabilities (Benz & Halpern, 1993; Bullis, Yovanoff, & Havel, 2004; Bullis, Yovanoff, Mueller, & Havel, 2002; Rutherford, Quinn, Poirier, & Garfinkel, 2002).

Why single out youth with disabilities cont...

- ▶ One of the most comprehensive longitudinal studies on the reintegration of youth from the juvenile justice system (Bullis et al., 2002) found that special education status was significantly associated with re-incarceration and lack of engagement in school and/or work.

[www.edjj.org/focus/prevention/JJSE/TOOLS%20Step%209%20\(5-9-07\).pdf](http://www.edjj.org/focus/prevention/JJSE/TOOLS%20Step%209%20(5-9-07).pdf).

What can dLCV do to further support youth with disabilities

- ▶ Recognizing that youth with disabilities face some of the greatest challenges re-entering community settings from juvenile justice facilities, the disAbility Law Center of Virginia (dLCV) would like to help.
- ▶ dLCV is uniquely situated to help facilitate successful transition and ensure accountability of supporting agencies aiding in the successful transition of youth with disabilities out of juvenile justice facilities.

What can dLCV do to further support youth with disabilities cont...

- ▶ Today, I will be talking about ways dLCV can work collaboratively with other support agencies to produce positive re-entry outcomes for transitioning youth with disabilities. My goal is to accomplish this by:
 - ▶ Sharing who is dLCV
 - ▶ Outlining the unique position dLCV holds and the statutory authority that empowers our agency to provide assistance
 - ▶ Share ways in which we believe we are able to provide effective assistance
 - ▶ Invite other stakeholders to the table to brainstorm ideas and develop a plan to work together collaboratively to positively support the re-entry of our most vulnerable population of youth.

Who is dLCV

- dLCV is the Commonwealth's designated disability rights agency that assists Virginians with disabilities with disability-related legal problems
- dLCV provides advocacy and legal services free of charge
- Through nine (9) different grant programs, dLCV is able to provide needed assistance to disabled persons across Virginia

dLCV's Mission

- ▶ To advance independence, choice and self-determination; protect legal, human and civil rights; and eliminate abuse, neglect and discrimination of people with disabilities through zealous and uncompromising legal advocacy and representation.

Where does dLCV get the authority to help

▶ **Developmental disabilities act program (DD)**

- ▶ The DD Program helps persons with issues related to:
 - ▶ Special education services
 - ▶ The right to live, learn, and work in the most integrated setting
 - ▶ Abuse and/or neglect in special programs
 - ▶ Access to programs and services and
 - ▶ Self-determination

Where does dLCV get the authority to help cont...

▶ **Protection and advocacy for individuals with mental illness program (PAIMI)**

- The PAIMI Program provides assistance to persons with mental illness who are currently living in a facility; who live in a community-based setting and receives treatment/services or are within 90 days of being released from a facility
- dLCV may assist a person with a mental illness to:
- Obtain appropriate services
- Make complaints about services needed or received
- Keep their records private
- Develop a discharge plan before leaving a facility

Where does dLCV get the authority to help cont...

▶ **Client assistance program (CAP)**

- ▶ The CAP Program helps persons with disabilities address issues related to vocational rehabilitation services and independent living
- ▶ dLCV may assist CAP clients with issues related to:
 - ▶ Eligibility for VR services
 - ▶ Job training and placement services
 - ▶ Transportation
 - ▶ Counseling and guidance
 - ▶ Assistive technology

Where does dLCV get the authority to help cont...

- ▶ **Protection and advocacy of individual rights program (PAIR)**
- ▶ The PAIR Program allows dLCV to expand its services to individuals with disabilities in the community who are not eligible under other advocacy programs
- ▶ The PAIR Program assists individuals with issues related to:
 - ▶ Overcoming discrimination
 - ▶ Barriers to living independently
 - ▶ Barriers to accessing benefits and services

What services can dLCV provide

- ▶ For persons whose issues fall within annual goals and focus areas, and meet case selection criteria, dLCV may assist by:
 - ▶ Investigating complaints
 - ▶ Negotiating solutions
 - ▶ Providing advocacy and/or
 - ▶ Providing legal representation
- ▶ For other issues, dLCV may assist with:
 - ▶ Information and referral
 - ▶ Technical and short-term assistance
 - ▶ Outreach and training
 - ▶ Advocacy and/or legal representation outside of goals and focus areas

So, how does this translate into help for youth with disabilities in the re-entry process

- ▶ Under the PAIMI Act, dLCV is able to assist youth with mental illness with both re-entry planning and ensuring appropriate services are in place in the community.
- ▶ Under the DD Act, dLCV is able to assist with protecting and enforcing the special education rights of youth.
- ▶ Under the CAP grant, dLCV is able to assist with protecting the right to vocational rehabilitation services of youth.
- ▶ Under the PAIR grant, dLCV is able to assist youth with disabilities that don't fit neatly into one of the previous three categories to ensure their re-entry is successful and all needed supports are in place.

The DD Act and special education rights of re-entry youth

- 8VAC20-81-100 Free appropriate public education (FAPE)
- 8VAC20-81-110 Individualized education programs (IEP)
- 8VAC20-81-120 Children who transfer
- 8VAC20-81-130 Least Restrictive Environment and Placement

The DD Act and special education rights of re-entry youth cont...

- ▶ Every school division must make FAPE available to every child with disabilities within that school division. (8VAC20-81-30)
- ▶ In the Least Restrictive Environment (LRE) 8VAC20-81-110(I)(2)

The Client Assistance Program (CAP) and employment rights of re-entry youth with disabilities

▶ The Rehabilitation Act of 1973

- ▶ The Rehabilitation Act prohibits discrimination on the basis of disability in programs conducted by Federal agencies, in programs receiving Federal financial assistance in Federal employment, and in the employment practices of Federal contractors. The standards for determining employment discrimination under the Rehabilitation Act are the same as those used in title I of the Americans with Disabilities Act.

The Client Assistance Program (CAP) and employment rights of re-entry youth with disabilities

- ▶ Section 504 of the Rehab Act
 - ▶ Section 504 states that "no qualified individual with a disability in the United States shall be excluded from, denied the benefits of, or be subjected to discrimination under" any program or activity that either receives Federal financial assistance or is conducted by any Executive agency or the United States Postal Service.

The Client Assistance Program (CAP) and employment rights of re-entry youth with disabilities

- ▶ Every youth with an IEP is entitled to transition services which include an assessment for eligibility of service through the Department of Aging and Rehabilitative Services
- ▶ Under authority granted by the CAP grant, dLCCV is the agency charged with ensuring that DARS provides appropriate services to eligible consumers as outlined in the Rehab Act and Section 504 of the Rehab act.

dLCV is committed to helping so let's work together

- ▶ dLCV is committed to helping youth with disabilities experience successful re-entry into community settings
- ▶ With that said, we extend our resources to support other agencies as you continue the work you do to facilitate successful re-entry outcomes for our most vulnerable youth
- ▶ Re-entry coordination
- ▶ IEP meeting attendance
- ▶ DARS
- ▶ DSS
- ▶ CSA/FAPT planning

Authorities

- ▶ TOOLS FOR PROMOTING EDUCATIONAL SUCCESS AND REDUCING DELINQUENCY, available online at:
[www.edjj.org/focus/prevention/JJSE/TOOLS%20Step%209%20\(5-9-07\).pdf](http://www.edjj.org/focus/prevention/JJSE/TOOLS%20Step%209%20(5-9-07).pdf).
Last accessed on June 28, 2016
- ▶ disAbility Law Center of Virginia, available online at www.dlcva.org.
- ▶ Regulations Governing Special Education Programs for Children with Disabilities in Virginia, found online at:
http://www.doe.virginia.gov/special_ed/regulations/state/regs_speced_disability_va.pdf. Last accessed on June 28, 2016
- ▶ The Rehabilitation Act of 1973, available online at:
<https://www.disability.gov/rehabilitation-act-1973/>. Last accessed on June 28, 2016

Contact dLCV

- ▶ To seek individual client advocacy assistance contact our office on **Monday, Wednesday** or **Friday** between the hours of **8:30am to 4:00pm** at **800-552-3962** and ask to speak to the advocate-on-duty
- ▶ For presentations or trainings email dLCV at info@dlcv.org.
- ▶ To reach me, please call or email me at:

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Thank you!
Any questions?