ATTACHED: I. NIDRR Technology - Related Assistance Programs
II. Directory of P+A & CAP Programs
III.

STATUTORY AUTHORITY FOR P & A PROGRAMS

Developmental Disabilities Assistance and Bill of Rights Act, 42 U.S.C. 6000 et seq.

Protection and Advocacy for Individuals with Mental Illness Act, 42 U.S.C. 10801 et seq.

Protection and Advocacy for Individual Rights (the Rehabilitation Act), 29 U.S.C. 794(e)

Client Assistance Program (the Rehabilitation Act), 29 U.S.C 732

Technology Related Assistance for Individuals with Disabilities Act, 29 U.S.C. 2201 et seq.

Attachment I

RESNA

RESNA Technical Assistance Project
Suite 1540, 1700 N. Moore Street, Arlington, VA 22209-1903
703/524-6686, Fax: 703/524-6630, TTY: 703/524-6639

NATIONAL INSTITUTE ON DISABILITY AND REHABILITATION RESEARCH

States Funded Under The
Technology-Related Assistance For Individuals With Disabilities Act of 1988 (and Amendments of 1994)

ALABAMA STATEWIDE TECHNOLOGY ACCESS AND RESPONSE PROJECT (STAR) (1993)
2125 East South Boulevard
P.O. Box 20752
Montgomery, AL 36120-0752
Project Director: Tom Gannaway, (205) 288-0240 (Voice)
(205) 281-2276 (TDD)
FAX: (205) 288-7171

ASSISTIVE TECHNOLOGIES OF ALASKA (1990)
400 "D" Street, Suite 230
Anchorage, AK 99501
Information and Referral: Rich Vantrease,(800) 770-0138 (V/TDD)
Program Director: Kathe Matrone, (907) 272-9547 (V/TDD)
FAX: (907) 274-0516

AMERICAN SAMOA ASSISTIVE TECHNOLOGY PROJECT (1993)
Division of Vocational Rehabilitation
Department of Human Resources
Pago Pago, American Samoa 96799
Director: Edmund Pereira, (684) 633-1805/2336 (Voice), (684) 233-7874 (TDD)
FAX: (684) 633-2393

ARIZONA TECHNOLOGY ACCESS PROGRAM (AZTAP) (1994)
Northern Arizona University
P.O. Box 5630
Flagstaff, AZ 86011-5630
Program Director: M.J. Demetras, Ph.D., (602) 324-3175 (Voice), (602) 324-3177 (TDD)
FAX: (602) 324-3176

ARKANSAS INCREASING CAPABILITIES ACCESS NETWORK (1989)
2201 Brookwood, Suite 117
Little Rock, AR 72202
Information and Referral: Barbara Gullett, (501) 666-8868 (V/TDD) or (800) 828-2799 (In State Only)
Project Director: Sue Gaskin, (501) 666-8868 (Voice/TDD)
FAX: (501)-666-5319

CALIFORNIA ASSISTIVE TECHNOLOGY SYSTEM (1993)
CA Department of Rehabilitation
830 K Street
Sacramento, CA 95814
Project Coordinator: Sheila Conlon Mentkowski, (916) 324-7386 (TDD)
(916) 324-3062 (Voice)
FAX: (916) 327-4567

COLORADO ASSISTIVE TECHNOLOGY PROJECT (1989)
Rocky Mountain Resource and Training Institute
6355 Ward Road, Suite 310
Arvada, CO 80004
Project Director: Bill West, (303) 420-2942 (Voice/TDD)
FAX: (303) 420-8675

CONNECTICUT ASSISTIVE TECHNOLOGY PROJECT (1992)
Bureau of Rehabilitation Services
10 Griffin Road North
Windsor, CT 06095
Project Director: John M. Ficarra, (203) 298-2042
(203) 298-2018 (TDD)
FAX: (203) 298-9590

DELAWARE ASSISTIVE TECHNOLOGY INITIATIVE (1991)
University of Delaware/A.I. dupont Institute
1600 Rockland Road, Room 154
Wilmington, DE 19899
Project Director: Beth Mineo, Ph.D., (302) 651-6790
(302) 651-6794 (TDD)
FAX: (302) 651-6793

D.C. PARTNERSHIP FOR ASSISTIVE TECHNOLOGY (1993)
National Rehabilitation Hospital
102 Irving Street, NW
Washington, DC 20010
Project Director: Jody Wildy, (202) 877-1932 (Voice)
(202) 726-3996 (TDD)
FAX: (202) 723-0628

FLORIDA ALLIANCE FOR ASSISTIVE SERVICE AND TECHNOLOGY (1992)
2002 Old St. Augustine Road
Building A
Tallahassee, FL 32399-0696
Director: Mark Ravenscraft, (904) 487-3278 (Voice/TDD)
FAX: (904) 488-8062

GEORGIA TOOLS FOR LIFE (1991)
Division of Rehabilitation Services
#2 Peachtree Street NW, Suite 23-411
Atlanta, GA 30303
Information and Referral: Tom Owen, (800) 726-9119 or (404) 894-4960
Project Director: Joy Kniskern, (404) 657-3084 (404) 657-3085 (TDD)
FAX: (404) 657-3086

GUAM SYSTEM FOR ASSISTIVE TECHNOLOGY (1994)
University Affiliated Program - Developmental Disabilities
University of Guam
UOG Station
Mangilao, Guam 96923
Director: Heidi E. Farra-San Nicolas, Ph.D. (671) 734-9309

HAWAII ASSISTIVE TECHNOLOGY TRAINING AND SERVICE PROJECT (1991)
677 Ala Moana Boulevard, Suite 403
Honolulu, HI 96813
Information and Referral: Cecelia Sasaki, (808) 532-7110 (Voice/TDD)
Project Director: Barbara Fischlowitz-Leong (808) 532-7110 (Voice/TDD)
FAX: (808) 532-7120

IDAHO ASSISTIVE TECHNOLOGY PROJECT (1992)
129 W. Third Street
Moscow, ID 83843
Information and Referral: Maria Billion-Klemesrud/Gabrielle Scott (208) 885-9429
Project Director: Bryce Fifield, Ph.D. (208) 885-3559 (Voice) (800) 432-8324 (TDD)
FAX: (208) 885-3628

ILLINOIS ASSISTIVE TECHNOLOGY PROJECT (1989)
110 Iles Park Place
Springfield, IL 62718
Information and Referral: Roger McCarty, (800) 852-5110 (In State Only/Voice/TDD) or (217) 522-7985 (Voice/TDD)
Project Director: Wilhelmina Gunther, (217) 522-7985
FAX: (217) 522-8067

INDIANA ATTAIN (ACCESSING TECHNOLOGY THROUGH AWARENESS IN INDIANA) PROJECT (1990)
P.O. Box 7083
402 W. Washington Street, Room W453
Indianapolis, IN 46207-7083
Information and Referral: Judy Hensley, (317) 232-1410 (Voice/TDD)
Project Director: Cris Fulford, (800) 545-7763 (Voice/TDD)
FAX: (317) 232-6478

IOWA PROGRAM FOR ASSISTIVE TECHNOLOGY (1990)
Iowa University Affiliated Program
University Hospital School
Iowa City, IA 52242
Information and Referral: Amy Hanna/Dawn Story (800) 331-3027 (Voice/TDD)
Project Director: James Hardy, Ph.D., (319) 353-6386
FAX: (319) 356-8284

ASSISTIVE TECHNOLOGY FOR KANSANS PROJECT (1993)
2601 Gabriel
P.O. Box 738
Parsons, KS 67357
Project Director: Dr. Charles Spellman (316) 421-8367 (Voice) (316) 421-8115 (TDD)
FAX: (316) 421-6550 x1864

KENTUCKY ASSISTIVE TECHNOLOGY SERVICES NETWORK (1989)
Coordinating Center
427 Versailles Road
Frankfort, KY 40601
Information and Referral: Jerry Wheatley, (502) 573-4665 (Voice/TDD)
Project Director: Jan Weber, (502) 573-4665 (Voice/TDD)
FAX: (502) 573-3976

LOUISIANA ASSISTIVE TECHNOLOGY ACCESS NETWORK (1991)
P.O. Box 3455, Bin# 14
Baton Rouge, LA 70821-3455
Information and Referral: Saundra Parker-Allen
(800) 922-DIAL
(800) 256-1633 (TDD)
Project Administrator: Julie Nesbit, (504) 342-2471 (Voice/TDD)
FAX: (504) 342-1970

MAINE CONSUMER INFORMATION AND TECHNOLOGY TRAINING EXCHANGE (MAINE CITE) (1989)
Maine CITE Coordinating Center
University of Maine at Augusta
46 University Drive
Augusta, ME 04330
Information and Referral: Cress Shallers, (207) 621-3195 (Voice/TDD)
Project Director: Kathy Powers, (207) 621-3195 (Voice/TDD)
FAX: (207) 621-3193

MARYLAND TECHNOLOGY ASSISTANCE PROGRAM (1989)
Governor's Office for Individuals with Disabilities
300 W. Lexington Street, Box 10
Baltimore, MD 21201
Information and Referral: James Corey, (800) TECH-TAP
Project Director: Mary Brady, (410) 333-4975 (Voice/TDD)
FAX: (410) 333-6674

MASSACHUSETTS ASSISTIVE TECHNOLOGY PARTNERSHIP CENTER (1990)
Children's Hospital
300 Longwood Avenue
Boston, MA 02115
Information and Referral: Andres Sanchez, (617) 727-5540
(617) 345-9743 (TDD)
Project Director: Judy Brewer, (617) 735-7820 (Voice)
(617) 735-7301 (TDD)
FAX: (617) 735-6345

MICHIGAN TECH 2000 (1992)
Michigan Department of Education
Rehabilitation Services
P.O. Box 30010
Lansing, MI 48909
Project Manager: Michael Barnes, (517) 373-9233 (Voice); (517) 373-4035 (TDD)
FAX: (517) 373-0565

MINNESOTA STAR PROGRAM (1989)
300 Centennial Building
658 Cedar Street
St. Paul, MN 55155
INFOTECH: (800) 331-3027 (Voice/TDD)
Project Director: Rachel Wobschall, (612) 297-1554
(612) 296-9962 (TDD)
FAX: (612) 282-6671

MISSISSIPPI PROJECT START (1990)
2550 Peachtree Street
4th floor
Jackson, MS 39216
Project Director: Carrie Bahr, (601) 987-4872 (Voice/TDD)
FAX: (601) 364-2349

MISSOURI ASSISTIVE TECHNOLOGY PROJECT (1991)
4731 South Cochise, Suite 114
Independence, MO 64055-6975
Information and Referral: Sheila Brashear, (800) 647-8557
(800) 647-8558 (TDD)
Project Director: Diane Golden, (800) 647-6557 or (816) 373-5193
FAX: (816) 373-9314

MONTECH (1991)
The University of Montana, MUARID, MonTECH
634 Eddy Avenue
Missoula, MT 59812
Information and Referral: Duane Gimbel,
(406) 243-5676 (Voice/TDD)
(800) 732-0323 (Voice/TDD)
Project Director: Peter Leech,
(406) 243-5676 (Voice/TDD)
FAX: (406) 243-2349

NEBRASKA ASSISTIVE TECHNOLOGY PROJECT (1989)
301 Centennial Mall South
P.O. Box 94987
Lincoln, NE 68509-4987
Information and Referral: Nancy Noha, (402) 471-3647 (Voice/TDD)
Project Director: Mark Schultz, (402) 471-0734 (Voice/TDD)
FAX: (402) 471-0117

NEVADA ASSISTIVE TECHNOLOGY PROJECT (1990)
Rehabilitation Division
Office of Community Based Services
711 South Stewart Street
Carson City, NV 89710
Information and Referral: Todd Butterworth, (702) 687-4452 (Voice); (702) 687-3388 (TDD)
Project Manager: Jack Reid, (702) 687-4452 (Voice) (702) 687-3388 (TDD)
FAX: (702) 687-3292

NEW HAMPSHIRE TECHNOLOGY PARTNERSHIP PROJECT (1991)
Institute on Disability/UAP
#14, Ten Ferry Street
The Concord Center
Concord, NH 03301
Information and Referral: Carol Richards, (603) 224-0630 (Voice/TDD)
Project Co-Coordinators: Marion Pawlek/Mary Schuh, (603) 224-0630 (Voice/TDD)
FAX: (603) 228-3270

NEW JERSEY TECHNOLOGY ASSISTIVE RESOURCE PROGRAM (1992)
135 East State Street
CN 398
Trenton, NJ 08625
Information and Referral: Laurette Walsh, (609) 292-7496
Administrator: Tim Montagano, (609) 292-7498 (Voice) (800) 382-7765 (TDD)
FAX: (609) 292-4616

NEW MEXICO TECHNOLOGY ASSISTANCE PROGRAM (1990)
435 St. Michael's Drive, Building D
Santa Fe, NM 87503
Information and Referral: Carol Cadena, (800) 866-ABLE (Voice/TDD)
Project Director: Bill Newroe, (505) 827-3532 (Voice/TDD)
FAX: (505) 827-3746

NEW YORK STATE TRAID PROJECT (1990)
Office of Advocate for Persons with Disabilities
One Empire State Plaza, Suite 1001
Albany, NY 12223-0001
Project Director: Deborah Buck, (518) 474-2825 (Voice) (518) 473-4231 (TDD)
FAX: (518) 473-6005

NORTH CAROLINA ASSISTIVE TECHNOLOGY PROJECT (1990)
Department of Human Resources
Division of Vocational Rehabilitation Services
1110 Navaho Drive, Suite 101
Raleigh, NC 27609
Information and Referral: (800) 852-0042
Project Director: Ricki Cook, (919) 850-2787 (Voice/TDD)
FAX: (919) 850-2792

NORTH DAKOTA INTERAGENCY PROGRAM FOR ASSISTIVE TECHNOLOGY (IPAT) (1993)
P.O. Box 743
Cavalier, ND 58220
Director: Judie Lee, (701) 265-4807 (Voice/TDD)
FAX: (701) 265-3150

COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS ASSISTIVE TECHNOLOGY PROJECT (1994)
Governor's Developmental Disabilities Planning Office
Office of the Governor
Saipan, MP 96950
Executive Director: Juanita S. Malone, (670) 322-3014

OHIO TRAIN (1992)
1224 Kinnear Road
Columbus, OH 43212
Executive Board Chairperson: Judy Harris, (614) 292-2426 or (800) 784-3425 (Voice/TDD)
FAX: (614) 292-5866

OKLAHOMA ABLE TECH (1992)
Department of Rehabilitation Services
P.O. Box 36659
Oklahoma City, OK 73136
Project Director: Paul Bowerman, (800) 316-4119 (405) 427-3312 (TDD)
FAX: (405) 427-3027

OREGON TECHNOLOGY ACCESS FOR LIFE NEEDS PROJECT (TALN) (1990)
Chemeketa Community College
P.O. Box 14007
Salem, OR 97309-7070
Project Director: Susan McNaught, (503) 399-4950 (Voice/TDD) In OR (800) 677-7512 (Voice/TDD)
FAX: (503) 399-6978

PENNSYLVANIA'S INITIATIVE ON ASSISTIVE TECHNOLOGY (1992)
Institute on Disability/UAP
Ritter Hall Annex 433 (004-00)
Philadelphia, PA 19122
Information and Referral: Kirk Behnke, (215) 204-1356 (Voice/TDD)
Project Director: Amy Goldman, (215) 204-1358 (Voice/TDD)
FAX: (215) 204-6336

PUERTO RICO ASSISTIVE TECHNOLOGY PROJECT (1993)
University of Puerto Rico
Medical Sciences Campus
College of Related Health Professions
Department of Communication Disorders
Box 365067
San Juan, PR 00936
Project Director: Dr. José R. Santana, (800) 496-6035 (From U.S. Mainland) (800) 981-6033 (In PR Only)
FAX: (809) 759-3645

RHODE ISLAND ASSISTIVE TECHNOLOGY ACCESS PROJECT (1993)
Office of Rehabilitation Services
40 Fountain Street
Providence, RI 02903-1898
Acting Project Director: Joseph Farrell, (401) 421-7005 Toll Free in RI (800) 752-8038 ext.2608 (401) 421-7016 (TDD)
FAX: (401) 274-1920

SOUTH CAROLINA ASSISTIVE TECHNOLOGY PROGRAM (1991)
Vocational Rehabilitation Department
P.O. Box 15, 1410-C Boston Avenue
West Columbia, SC 29171-0015
Information and Referral: Lillian Smith, (803) 822-5404 (Voice/TDD)
Project Director: Chip Hartford, (803) 822-5404 (Voice/TDD)
FAX: (803) 822-4301

DAKOTA LINK (1992)
1925 Plaza Boulevard
Rapid City, SD 57702
Information and Referral: Juanita Palmer-Lloyd (800) 645-0673 (Voice/TDD); or (605) 394-1876
Project Manager: Ron Reed, (605) 394-1876
FAX: (605) 394-5315

TENNESSEE TECHNOLOGY ACCESS PROJECT (1990)
710 James Robertson Parkway
Gateway Plaza, 11th floor
Nashville, TN 37243-0675
Information and Referral: Anastasia Koshakji, (615) 532-6530 (800) 732-5059 (In state only); (615) 532-6514 (TDD)
Project Director: Rob Roberts, (615) 532-6530
FAX: (615) 532-6964

TEXAS ASSISTIVE TECHNOLOGY PARTNERSHIP (1992)
University of Texas at Austin, UAP of Texas
Department of Special Education, EDB 306
Austin, TX 78712
Information and Referral: (800) 828-7839
Project Director: Brian Bryant, (512) 471-7621 (Voice) (512) 471-1844 (TDD)
FAX: (512) 471-7549

UTAH ASSISTIVE TECHNOLOGY PROGRAM (1989)
Center for Persons with Disabilities
UMC 6855
Logan, UT 84322-6855
Information and Referral: (800) 333-UTAH (Voice/TDD)
Project Director: Marvin Fifield, Ed.D., (801) 797-1982
FAX: (801) 797-2355

VERMONT ASSISTIVE TECHNOLOGY PROJECT (1990)
103 South Main Street, Weeks I
Waterbury, VT 05671-2305
Project Director: Christine Pellegrino, (802) 241-2620 (Voice/TDD)
FAX: (802) 241-3052

VIRGINIA ASSISTIVE TECHNOLOGY SYSTEM (1990)
8004 Franklin Farms Drive
P.O. Box K300
Richmond, VA 23288-0300
Information and Referral: Michael Snapp, (804) 662-9993
Project Director: Kenneth Knorr, (804) 662-9990 (V/TDD)
FAX: (804) 662-9478

WASHINGTON ASSISTIVE TECHNOLOGY ALLIANCE (1993)
DSHS/DVR
P.O. Box 45340
Olympia, WA 98504-5340
Project Director: David Hooks, Sr., Ph.D. (206) 438-8051 (Voice) (206) 438-8644 (TDD)
FAX: (206) 438-8007

WEST VIRGINIA ASSISTIVE TECHNOLOGY SYSTEM (1992)
Division of Rehabilitation Services
Capital Complex
Charleston, WV 25305-0890

Information and Referral:	Rachel Bower, (800) 841-8436
Project Director:	Tom Minshall, (304) 766-4698
	(304) 293-4692 (TDD)
FAX:	(304) 293-7294

WISTECH (1990)
Division of Vocational Rehabilitation
P.O. Box 7852
1 W. Wilson Street, Room 950
Madison, WI 53707-7852

Information and Referral:	Linda Rowley, (608) 266-5395
Project Director:	Judi Trampt, (608) 267-6720 (Voice)
	(608) 266-9599 (TDD)
FAX:	(608) 267-3657

WYOMING'S NEW OPTIONS IN TECHNOLOGY (WYNOT) (1993)
Division of Vocational Rehabilitation
1100 Herschler Building
Cheyenne, WY 82002

Project Director:	Kirk McKinney, (307) 777-8947 (Voice)
	(307) 777-4386 or 777-7450 (Voice/TDD)
FAX:	(307) 777-5939

Many states have regional assistive technology resource centers. To find out if there is a center near you, call your state's Tech Act project. In states where no I & R contact is listed, the Project Director can assist you.

STATE PROTECTION AND ADVOCACY AGENCIES FOR PERSONS WITH DEVELOPMENTAL DISABILITIES, MENTAL ILLNESS AND THE CLIENT ASSISTANCE PROGRAM

1994

ALABAMA

CAP	Division of Rehabilitation Services and Children's Rehabilitation Services 2129 E. South Blvd P. O. Box 11586 Montgomery, AL 36111	205-281-8780
DD MI PAIR	Alabama Disabilities Advocacy Program The University of Alabama P. O. Box 870395 Tuscaloosa, AL 35487-0395	205-348-4928 205-348-9484 TDD 800-826-1675

ALASKA

CAP	ASIST 2900 Boniface Parkway, #100 Anchorage, AK 99504-3195	907-333-2211
DD MI PAIR	Advocacy Services of Alaska 615 E. 82nd Avenue, Suite 101 Anchorage, AK 99518	907-344-1002 Voice/TDD 800-478-1234

AMERICAN SAMOA

CAP DD MI PAIR	Client Assistance Program and Protection & Advocacy P. O. Box 3937 Pago Pago, American Samoa 96799	10288-011- 684-633-2441

ARIZONA

CAP DD MI PAIR	Arizona Center for Law in the Public Interest 3724 N. Third Street, Suite 300 Phoenix, AZ 85012	602-274-6287 Voice/TDD

ARKANSAS

CAP DD MI PAIR	Advocacy Services, Inc. Evergreen Place, Suite 201 1100 North University Little Rock, AR 72207	501-296-1775 Voice/TDD 800-482-1174

CALIFORNIA

CAP	Client Assistance Program 830 K Street Mall, Room 220 Sacramento, CA 95814	916-322-5066
DD MI PAIR	Protection & Advocacy, Inc. 100 Howe Avenue, Suite 185N Sacramento, CA 95825	916-488-9950 800-776-5746 818-546-1631 LA Voice/TDD 510-839-0811 OK Voice/TDD

COLORADO

CAP DD PAIR MI	The Legal Center 455 Sherman Street Suite 130 Denver, CO 80203	303-722-0300 Voice/TDD

CONNECTICUT

CAP DD MI PAIR	Office of P&A for Handicapped and Developmentally Disabled Persons 60 Weston Street Hartford, CT 06120-1551	203-297-4300 203-566-2102 TDD 800-842-7303 (statewide)

DELAWARE

CAP	Client Assistance Program United Cerebral Palsy, Inc. 254 Camden-Wyoming Avenue Camden, DE 19934	302-698-9336 800-640-9336
DD MI PAIR	Disabilities Law Program 144 E. Market Street Georgetown, DE 19947	302-856-0038 Voice/TDD

DISTRICT OF COLUMBIA

CAP	Client Assistance Program Rehabilitation Services Administration 605 G Street, NW Washington, DC 20001	202-727-0977
CAP DD MI PAIR	Information Protection & Advocacy Center for Handicapped Individuals 4455 Connecticut Ave, NW, Suite B100 Washington, DC 20008	202-966-8081 202-966-2500 TDD

FLORIDA

CAP DD MI PAIR	Advocacy Center for Persons w/Disabilities 2671 Executive Center, Circle West Webster Building, Suite 100 Tallahassee, FL 32301-5024	904-488-9071 800-342-0823 800-346-4127 TDD

GEORGIA

CAP	Department of Human Resources Division of Rehabilitation Service 2 Peachtree St., NW, Room 23-307 Atlanta, GA 30303	404-657-3012
DD MI PAIR	Georgia Advocacy Office, Inc. 1708 Peachtree St., NW, Suite 505 Atlanta, GA 30309	404-885-1234 Voice/TDD 800-282-4538

GUAM

CAP	Parent Agencies Network P.O. Box 23474 GMF, Guam 96921	011-671-649-1948
DD MI PAIR	The Advocacy Office P.O. Box 8830 Tamuning, Guam 96931	011-671-472-8985/86 011-671-472-8989 TDD

HAWAII

CAP DD MI PAIR	Protection & Advocacy Agency 1580 Makaloa Street, Suite 1060 Honolulu, HI 96814	808-949-2922 Voice/TDD

IDAHO

CAP DD MI PAIR	Co-Ad, Inc. 4477 Emerald, Suite B-100 Boise, ID 83706	208-336-5353 Voice/TDD

ILLINOIS

CAP	Illinois Client Assistance Program 100 N. First Street, 1st Floor Springfield, IL 62702	217-782-5374
DD MI PAIR	Equip for Equality, Inc. 11 East Adams, Suite 1200 Chicago, IL 60603	312-341-0022 Voice/TDD

INDIANA

CAP DD MI PAIR	Indiana Advocacy Services 850 North Meridian, Suite 2-C Indianapolis, IN 46204	317-232-1150 Voice/TDD 800-622-4845

IOWA

CAP	Client Assistance Program Division on Persons w/Disabilities Lucas State Office Building Des Moines, IA 50310	515-281-3957
DD MI PAIR	Iowa Protection & Advocacy Service, Inc. 3015 Merle Hay Road, Suite 6 Des Moines, IA 50310	515-278-2502 515-278-0571 TDD

KANSAS

CAP	Client Assistance Program Biddle Building, 2nd Floor 2700 West 6th Street Topeka, KS 66606	913-296-1491
DD MI PAIR	Kansas Advocacy & Protective Service 2601 Anderson Avenue Manhattan, KS 66502	913-776-1541 Voice/TDD 800-432-8276

KENTUCKY

CAP	Client Assistance Program Capitol Plaza Tower Frankfort, KY 40601	502-564-8035 800-633-6283
DD MI PAIR	Office for Public Advocacy, Division for P&A 100 Fair Oaks Lane, 3rd Floor Frankfort, KY 40601	502-564-2967 800-372-2988 TDD

LOUISIANA

CAP DD MI PAIR	Advocacy Center for the Elderly and Disabled 210 O'Keefe, Suite 700 New Orleans, LA 70112	504-522-2337 Voice/TDD 800-662-7705

MAINE

CAP	CARES, Inc. 4-C Winter Street August, ME 04330	207-622-7055
DD MI PAIR	Maine Advocacy Services 32 Winthrop P.O. Box 2007 Augusta, ME 04338	207-626-2774 800-452-1948 TDD

MARYLAND

CAP	Client Assistance Program Maryland Rehabilitation Center Division of Rehabilitation Services 2301 Argonne Drive Baltimore, MD 21208	410-554-3221
DD MI PAIR	Maryland Disability Law Center 2510 St. Paul Street Baltimore, MD 21218	410-235-4700 410-235-4227 Voice/TDD 800-233-7201
ADM	Maryland Disability Law Center Program Staff 1800 N. Charles Street Baltimore, MD 21201	410-234-2791 410-234-2794

MASSACHUSETTS

CAP	MA Office on Disability Client Assistance Program One Ashburton Place, Room 303 Boston, MA 02108	617-727-7440
DD PAIR	Disability Law Center, Inc. 11 Beacon Street, Suite 925 Boston, MA 02108	617-723-8455 Voice/TDD
MI	Center for Public Representation 22 Green Street Northampton, MA 01060	413-584-1644 Voice/TDD

MICHIGAN

CAP	Client Assistance Program Department of Rehabilitation Services P. O. Box 30008 Lansing, MI 48909	517-373-8193
	Commission for the Blind 201 North Washington Square Box 30015 Lansing, MI 48909	517-373-6425

Michigan cont.

DD MI PAIR	Michigan P&A Service 106 West Allegan, Suite 210 Lansing, MI 48933	517-487-1755 Voice/TDD

MINNESOTA

CAP DD MI PAIR	Minnesota Disability Law Center 430 First Avenue North, Suite 300 Minneapolis, MN 55401-1780	612-332-1441 612-332-4668

MISSISSIPPI

CAP	Client Assistance Program Easter Seal Society 3226 N. State Street Jackson, MS 39216	601-982-7051
DD MI PAIR	Mississippi P&A System for DD, Inc. 5330 Executive Place, Suite A Jackson, MS 39206	601-981-8207 Voice/TDD

MISSOURI

CAP DD MI PAIR	Missouri P&A Services 925 S. Country Club Drive, Unit B-1 Jefferson City, MO 65109	314-893-3333 Voice/TDD

MONTANA

CAP DD MI PAIR	Montana Advocacy Program 316 N. Park, Room 211 P.O. Box 1680 Helena, MT 59624	406-444-3889 Voice/TDD 800-245-4743

NEBRASKA

CAP	Client Assistance Program Division of Rehabilitation Services Nebraska Department of Education 301 Centennial Mall South Lincoln, NE 68509	402-471-3656
DD MI PAIR	Nebraska Advocacy Services, Inc. 522 Lincoln Center Building 215 Centennial Mall South Lincoln, NE 68508	402-474-3183 Voice/TDD

NEVADA

CAP	Client Assistance Program 1755 East Plumb Lane, #128 Reno, NV 89502	702-688-1440 800-633-9879
DD MI PAIR	Office of Protection & Advocacy, Inc. Financial Plaza 1135 Terminal Way, Suite 105 Reno, NV 89502	702-688-1233 800-992-5715 702-622-0243 TDD

NEW HAMPSHIRE

CAP	Client Assistance Program Governor's Commission for the Handicapped 57 Regional Drive Concord, NH 03301-9686	603-271-2773
DD MI PAIR	Disabilities Rights Center P. O. Box 19 18 Low Avenue Concord, NH 03302-0019	603-228-0432 Voice/TDD

NEW JERSEY

CAP	Client Assistance Program	609-292-9742 Voice/TDD
DD	New Jersey P&A, Inc. 210 S. Broad Street, 3rd Floor Trenton, NJ 08608	800-792-8600

New Jersey cont.

MI	New Jersey P&A, Inc. 210 S. Broad Street, 3rd Floor Trenton, NJ 08608	609-292-9742 Voice/TDD 800-792-8600

NEW MEXICO

CAP DD MI PAIR	Protection & Advocacy System, Inc. 1720 Louisiana Blvd., NE Suite 204 Albuquerque, NM 87110	505-256-3100 Voice/TDD 800-432-4682

NEW YORK

CAP DD MI PAIR	NY Commission on Quality of Care for the Mentally Disabled 99 Washington Avenue, Suite 1002 Albany, NY 12210	518-473-7378 518-473-4057 800-624-4143 TDD

NORTH CAROLINA

CAP	Client Assistance Program North Carolina Division of Vocational Rehabilitation Services P. O. Box 26053 Raleigh, NC 27611	919-733-3364
DD MI PAIR	Governor's Advocacy Council for Persons with Disabilities 2113 Cameron Street, Suite 218 Raleigh, NC 27605	919-733-9250 Voice/TDD 800-821-6922

NORTH DAKOTA

CAP	Client Assistance Program 400 East Broadway, Suite 303 Bismarck, ND 58501-4038	701-224-4625
DD MI PAIR	The North Dakota Protection & Advocacy Project 400 E. Broadway, Suite 515 Bismarck, ND 58501	701-224-2972 800-472-2670 800-642-6694 (24 H. Line) 800-366-6888 TDD

N. MARIANAS ISLANDS

CAP	Northern Marianas	670-235-7274
DD	Protection and Advocacy System, Inc.	
MI	P.O. Box 3529 C.K.	
PAIR	Saipan, MP 96950	

OHIO

CAP	Client Assistance Program Governor's Office of Advocacy for People with Disabilities 30 East Broad Street, Room 1201 Columbus, OH 43266-0400	614-466-9956
DD	Ohio Legal Rights Service	614-466-7264 Voice/TDD
MI	8 East Long Street, 6th Floor	800-282-9181
PAIR	Columbus, OH 43215	

OKLAHOMA

CAP	Client Assistance Program Oklahoma Office of Handicapped Concerns 4300 N. Lincoln Blvd, Suite 200 Oklahoma City, OK 73105	405-521-3756
DD	Oklahoma Disability Law Center, Inc.	918-664-5883 Voice/TDD
MI	4150 South 100th East Avenue, 210 Cherokee Bldg	
PAIR	Tulsa, OK 74146-3661	

OREGON

CAP	Oregon Disabilities Commission 1257 Ferry Street, SE Salem, OR 97310	503-378-3142
DD	Oregon Advocacy Center	503-243-2081 Voice/TDD
MI	625 Board of Trade Building	
PAIR	310 Southwest 4th Avenue, Suite 625 Portland, OR 97204-2309	

PENNSYLVANIA

CAP	Client Assistance Program (SEPLS) 1650 Arch Street, Suite 2310 Philadelphia, PA 19103	215-557-7112
	Client Assistance Program Medical Center East 211 N. Whitfield, Suite 215 Pittsburgh, PA 15206	412-363-7223 (Western PA)
DD MI PAIR	Pennsylvania P&A, Inc. 116 Pine Street Harrisburg, PA 17101	717-236-8110 Voice/TDD 800-692-7443

PUERTO RICO

CAP DD MI PAIR	Office of the Governor Ombudsman for the Disabled P. O. Box 4234 San Juan, PR 00902-4234	809-721-4299 809-725-3606 800-981-4125 809-705-4014 TDD

REP OF PALAU

CAP	Client Assistance Program Bureau of Public Health Ministry of Health P.O. Box 100 Koror, Republic of Palau 96940

RHODE ISLAND

CAP DD MI PAIR	Rhode Island P&A System Inc., (RIPAS) 151 Broadway 3rd Floor Providence, RI 02903	401-831-3150 401-831-5335

SOUTH CAROLINA

CAP	Office of the Governor Division of Ombudsman & Citizen Services P.O. Box 11369 Columbia, SC 29211	803-734-0457

South Carolina cont.

DD MI PAIR	South Carolina P&A System for the Handicapped, Inc. 3710 Landmark Drive, Suite 208 Columbia, SC 29204	803-782-0639 Voice/TDD 800-922-5225

SOUTH DAKOTA

CAP DD MI PAIR	South Dakota Advocacy Services 221 South Central Avenue Pierre, SD 57501	605-224-8294 Voice/TDD 800-658-4782

TENNESSEE

CAP DD MI PAIR	Tennessee Protection & Adovcacy, Inc. P. O. Box 121257 Nashville, TN 37212	615-298-1080 Voice/TDD 800-342-1660

TEXAS

CAP DD MI PAIR	Advocacy, Inc. 7800 Shoal Creek Blvd., Suite 171-E Austin, TX 78757	512-454-4816 Voice/TDD 800-252-9108

UTAH

CAP DD MI PAIR	Legal Center for People w/Disabilities 455 East 400 South, Suite 201 Salt Lake City, UT 84111	801-363-1347 Voice/TDD 800-662-9080

VERMONT

CAP	Client Assistance Program Ladd Hall 103 South Main Street Waterbury, VT 05676	802-241-2641 800-622-4555

Vermont cont.

DD	Vermont Protection & Advocacy 21 E. State Street, Suite 101 Montpellier, VT 05602	802-229-1355
MI	Vermont Advocacy Network, Inc. 65 South Main Street Waterbury, VT 05676	802-244-7868

VIRGINIA

CAP DD MI PAIR	Department for Rights of Virginians w/Dis. James Monroe Building 101 North 14th Street, 17th floor Richmond, VA 23219	804-225-2042 Voice/TDD 800-552-3962

VIRGIN ISLANDS

CAP DD MI PAIR	Virgin Islands Advocacy Agency 7A Whim Street, Suite 2 Frederiksted, VI 00840	809-772-1200 809-776-4303 809-772-4641 TDD

WASHINGTON

CAP	Client Assistance Program P. O. Box 22510 Seattle, WA 98122	206-721-4049 206-721-4575
DD MI PAIR	Washington Protection & Advocacy Sys. 1401 E. Jefferson, Suite 506 Seattle, WA 98122	206-324-1521 Voice/TDD

WEST VIRGINIA

CAP DD MI PAIR	West Virginia Advocates, Inc. Litton Bldg, 4th Floor 1207 Quarrier Street Charleston, WV 25301	304-346-0847 Voice/TDD 800-950-5250

WISCONSIN

CAP	Governor's Commission for People with Disabilities Client Assistance Program P. O. Box 7850 Madison, WI 53707-7852	608-267-7422 800-362-1290
DD MI PAIR	Wisconsin Coalition for Advocacy 16 N. Carroll Street, Suite 400 Madison, WI 53703	608-267-0214 608-267-0368 TDD

WYOMING

CAP DD PAIR	Wyoming Protection & Advocacy System 2424 Pioneer Avenue, Suite 101 Cheyenne, WY 82001	307-638-7668 307-632-3496 800-821-3091 Voice/TDD 800-624-7648 Voice/TDD

NATIVE AMERICAN

DD	DNA People's Legal Services, Inc. P. O. Box 306 Window Rock, AZ 86515	602-871-4151

statutory history

Protection and Advocacy Systems were initially developed to address public outcry in response to the abuse, neglect and lack of programming in state institutions for persons with disabilities. Congress created distinct statutory programs to address the needs of different populations of persons with disabilities.

The Protection and Advocacy for Persons with Developmental Disabilities (PADD) Program was created by the Developmental Disabilities Assistance and Bill of Rights Act of 1975 (Public Law 94-103). This Act mandated that each state and territory establish a protection and advocacy system no later than October 1, 1977 as a condition for receiving its minimum state grant allotment under the Act for the provision of services to persons with developmental disabilities. P&As are required by the Act to pursue legal, administrative and other appropriate remedies to protect and advocate for the rights of individuals with developmental disabilities under all applicable federal and state laws. The governor in each state and territory designated a program as the P&A system, and has provided assurances that the system is independent of any service provider. Amendments added during the 1994 Congressional reauthorization of the Act expanded the system to include the establishment of a Native Americans Consortium P&A program.

The U.S. Department of Health and Human Services, Administration for Children, Youth and Families, Administration on Developmental Disabilities (ADD) administers the PADD program.

The Protection and Advocacy for Individuals with Mental Illness (PAIMI) Program was established in 1986 by Public Law 99-319. This program is modeled after PADD. The PAIMI program was created to protect the rights of persons with mental illness under federal and state law and to investigate allegations of abuse and neglect of persons residing in residential care and treatment facilities. PAIMI, which faces reauthorization in 1995, has since been expanded to provide advocacy services for persons in homeless shelters, jails and detention centers, as well as cases of abuse and neglect while being transferred to such a facility. PAIMI programs may also provide services to individuals who may have been subjected to abuse and neglect in facilities operated by the Department of Veterans Affairs. The system designated to serve as the PADD program in each state and territory is also responsible for administering the PAIMI program.

The U.S. Department of Health and Human Services, Substance Abuse and Mental Health Services Administration, Center for Mental Health Services (CMHS) administers the PAIMI program.

The Protection and Advocacy for Individual Rights (PAIR) Program was established by Congress under the 1978 Amendments to the Rehabilitation Act, but no funds were appropriated for the program until FY 1991 and it did not reach its formula grant trigger until 1993. (Thus, for the first time, it became a nationwide program; previously, only 12 states were funded under PAIR, as a demonstration project.) PAIR grants, to P&A system nation-

wide, the authority to protect and advocate for services to persons with disabilities who are not eligible for the PADD and PAIMI programs, or whose issues do not fall within the jurisdiction of CAP. PAIR is similar to other P&A programs in that it grants authority to pursue legal, administrative and other appropriate remedies. However, PAIR is funded at a considerably lower level than PADD and PAIMI; consequently, available services under the program are quite limited in comparison to the others. Nevertheless, the PAIR program represents a vitally important component of a comprehensive effort to advocate for the rights of all persons with disabilities. The system designated to serve as the PADD program in each state and territory is also responsible for administering the PAIR program.

The U.S. Department of Education, Office of Special Education and Rehabilitative Services, Rehabilitation Services Administration (RSA) administers PAIR.

The Client Assistance Program (CAP) was established as a mandatory formula grant program by the 1984 amendments to the Rehabilitation Act to assist persons with disabilities in securing vocational rehabilitation services mandated under the Act. Every state and territory, as a condition for receiving allotments under the Rehabilitation Act, must have a Client Assistance Program. The creation of CAP reflected Congressional belief that persons with disabilities may require assistance in obtaining information and access to the services available through the programs, projects and facilities funded under the Rehabilitation Act. CAP provides information and assistance to individuals seeking or receiving services under the Rehabilitation Act, including assistance in pursuing administrative, legal and other appropriate remedies to ensure the protection of their rights.

The U.S. Department of Education, Office of Special Education and Rehabilitative Services, Rehabilitation Services Administration administers CAP.

Assistive Technology. Originally passed by Congress in 1988, the Technology-Related Assistance for Individuals with Disabilities Act (the Tech Act), set up a lead agency in each state to coordinate activities to facilitate access to, provision of and funding for assistive technology devices and services for individuals with disabilities. In 1994, the Tech Act was expanded to include funding for P&As "to assist individuals with disabilities and their family members, guardians, advocates and authorized representatives in accessing assistive technology devices and assistive technology services" through case management, legal representation and self-advocacy training. Existing P&As are to receive between $40,000 and $100,000 in FY 1994 to conduct these activities.

The U.S. Department of Education, Office of Special Education and Rehabilitative Services, National Institute on Disability and Rehabilitation Research (NIDRR) administers the Assistive Technology program.

p&a and cap activities

P&A and CAP activities may include:

(1) investigating, negotiating or mediating solutions to problems expressed by persons eligible for P&A and CAP services;

(2) providing information and technical assistance to individuals, attorneys, governmental agencies, service providers and other advocacy organizations;

(3) providing legal counsel and litigation services to eligible persons and groups who satisfy the established priorities of P&As and CAPs for the provision of services; and

(4) providing education and training for their staff, governing boards, advisory councils, volunteers, service delivery professionals, constituency groups, and the community.

In addition, P&As and CAPs interact with elected and appointed officials to share information which will assist policy makers in making legislative and administrative changes which benefit persons with disabilities.

appropriations

Congressional Appropriations

The following chart demonstrates the history of congressional support for P&A and CAP programs:

U.S. Congressional Appropriations Fiscal Years 1976-94 (in $ millions)

	PADD	CAP	PAIMI	PAIR
1976	1.5			
1977	3.0			
1978	3.0			
1979	3.8			
1980	7.5			
1981	7.5			
1982	7.68			
1983	7.32			
1984	8.4	6.0		
1985	13.75	6.3		
1986	14.6	6.412	9.5	
1987	15.0	7.5	10.5	
1988	19.148	7.1	10.555	
1989	19.76	7.682	12.4	
1990	20.48	7.901	14.001	
1991	20.98	8.313	15.614	.976
1992	22.500	9.140	19.5	1.074
1993	22.506	9.296	20.8	2.480
1994	23.753	9.547	21.957	5.5

Formula Grants

Each designated system receives funding to implement the PADD, PAIMI, PAIR and CAP programs through a formula grant. The formula, while slightly different for each of the four programs, is essentially based on the population and per capita income in the state.

Each state is given a minimum allotment which is incrementally increased as the population of the state increases. Approximately 20 states receive a minimum allotment for each program.

In FY 1994, the minimum allotment for PADD, PAIMI and CAP was $226,266, $259,782 and $100,000, respectively. The minimum allotment for territories is $121,052, $139,242, and $45,000, respectively. In contrast, the largest state received $1,957,574 for PADD, $1,911,186 for PAIMI, and $956,935 for CAP.

PAIR allotments include $100,000 for each state and $50,000 for each eligible territory.

summary & analysis

P&As (with exception of PAIR) and CAPs are required to submit annual Program Performance Reports (PPRs) to the federal administering agencies: Administration on Developmental Disabilities (ADD), Center for Mental Health Services (CMHS) and Rehabilitation Services Administration (RSA). These reports require programs to compile data on the number and demographic composition of individuals served.

Currently, the administering agencies utilize different definitions to determine client eligibility. Eligibility for the four programs are defined by their respective statutes.

ADD and CMHS agree on the definition of what constitutes a client in terms of the level of services provided by the PADD and PAIMI programs. A client is defined as an individual for whom the P&A system provides a direct service or intervention. Each individual client is counted only once during a fiscal reporting period, regardless of the number of times he/she returns for assistance or the number of services provided. Individuals carried over as clients from the previous year are included in this count.

Eligibility for PADD advocacy services, require that one meet the definition of developmental disabilities as defined in the DD Act. Developmental disabilities are chronic and attributable to mental and/or physical impairments which are evident prior to age twenty-two. Such disabilities tend to be life-long and result in substantial limitations in three or more of the following major life activities: self-care, receptive and expressive language, learning, mobility, self-direction, the capacity for independent living, and/or economic self-sufficiency. In addition, each program establishes priorities for case selection. The priorities vary from State to State and are based on consumer input and review.

Individuals eligible for services under the PAIMI Act must reside in residential facilities which provide care and treatment, or have been discharged from such a facility within the past 90 days. Under the 1988 amendments, PAIMI programs were given the authority to represent clients in certain situations involving prisons and jails, and transportation to and from such facilities. In 1991, the jurisdiction was expanded again to include facilities assisting persons who are homeless, as well as federal facilities. PAIMI programs also establish priorities for case selection and vary from State to State.

RSA defines a client of CAP as one who has a record of confidential information maintained on file, and one who has requested assistance in a situation requiring some type of intervention with a Rehabilitation Act project, program or facility. Under this definition, a new client is counted each time a case is opened without regard to the number of times a case may have been opened and closed for a particular individual during the reporting year.

The data collected on the number of clients served by all three programs should reflect only

those individuals for whom a "significant service" was rendered. "Significant service" has not been clearly defined by the administering agencies but generally is more than information and/or referral and includes such criteria as at least one hour of devoted staff time, some type of follow-up by staff to the client and/or the collection and review of information.

Client data should not reflect individuals who benefited from the resolution of class actions or other problems involving groups or individuals who only receive information or referral. Individuals who receive only educational services from the program are not counted as clients of the program. The number of information/referral contacts and persons benefiting from educational activities are collected separately within the PPR.

Total Clients Served

The P&As and CAPs served approximately 66,538 individuals[1] from October 1, 1992 to September 30, 1993. This number represents a decrease from FY 1992, when the three federally mandated programs represented over 71,082[2] clients.

CAP handled more cases in FY 1993, representing 11,246 clients, an increase of 443 cases from the 10,803 reported in FY 1992.

PAIMI and PADD both demonstrated decreases in the number of clients represented. Under PAIMI, 18,394 clients were served in FY 1993, 1,985 fewer than in FY 1992. PADD served a total of 36,898 clients in 1993 while representing 39,900 the prior year. States which demonstrated decreases of 100 or more clients were largely medium to large states, several of whom experienced a significant loss in supplemental state funding which had previously increased their ability to serve greater numbers of clients. Programs also indicated that the eligibility guidelines were more strictly enforced as reporting requirements have tightened.

In FY 1992, state PADD programs were required by the Administration on Developmental Disabilities to develop a Statement of Objectives and Priorities, in order to insure that these programs were serving unserved or under-served persons with developmental disabilities as a

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[1] Fiscal Year 1993 figures do not include Guam CAP or DD data and are unofficial and therefore subject to change upon federal review.

[2] This figure is official and amends the reported clients served in the 1992 NAPAS Annual Report which reported a total of 70,303 clients served in FY 1992.

high priority. In response, the programs developed priorities, after receiving public comment, which insured that the most vulnerable populations or those with complex advocacy needs were served before less vulnerable populations. The need to prioritize was necessary as the demand for representation exceeded the ability of the P&A to provide quality services. A noticeable shift occurred as state PADD programs developed more sophisticated skills in addressing the complex issues facing clients as those individuals move from institutional settings to community based environments. These clients' need for appropriate services is more complex, and involve not only habilitation but also access to financial entitlement programs, housing and employment.

Advocacy and Outreach For Eligible Clients Who Are Racial/Ethnic Minorities

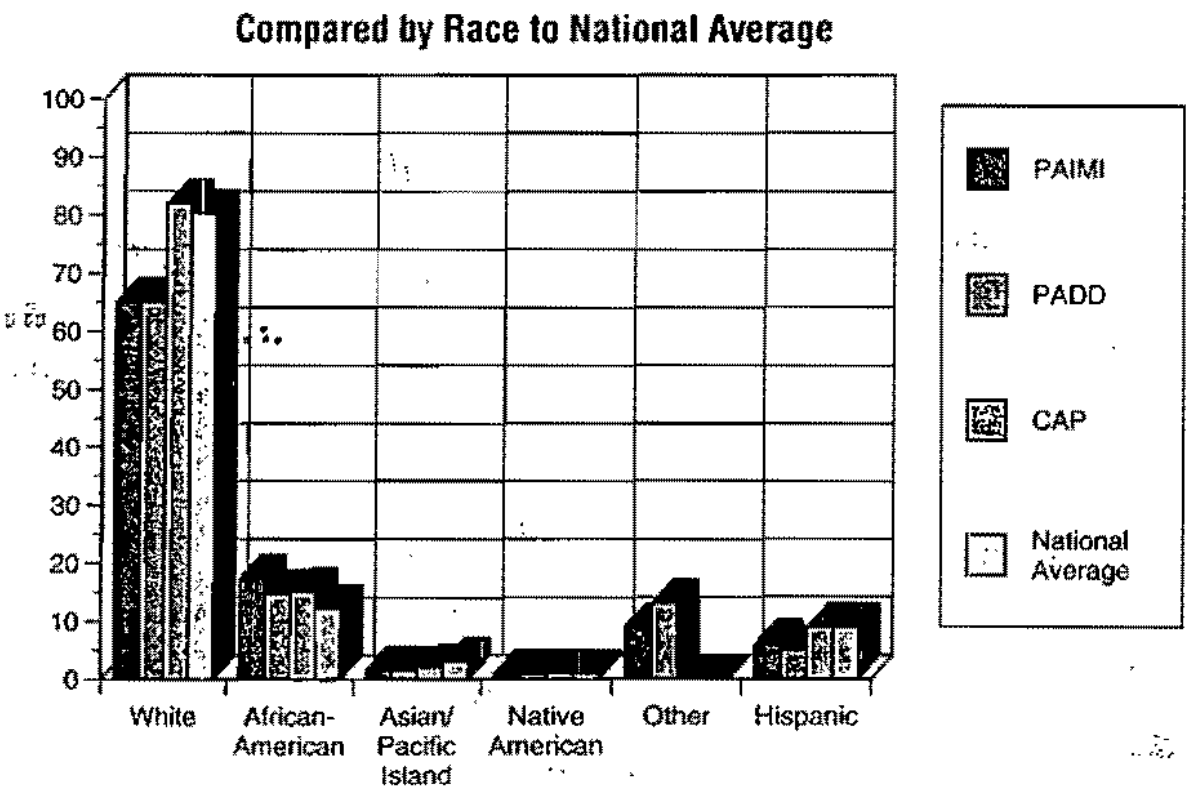
P&As and CAPs continue to improve their representation of racial and ethnic minorities. Nationally, the racial demographic for all three programs is statistically consistent with the national average, with the exception of individuals who identify themselves as Asian Americans or Pacific Islanders. These groups continue to be underserved by all three programs.

PAIMI and CAP programs have improved their data collection related to racial and/or ethnic groups during FY 93. PAIMI reported only 9% of their clients as unknown or other, an improvement from FY 92 when 18% of their clients were not identified according to racial or ethnic group. CAPs collected racial or ethnic information on all but 612 clients. PADD programs failed to report information on over 13% of their clients.

PADD and PAIMI numbers fall slightly behind the national demographic data in the representation of individuals who identify themselves as Hispanic. This may be due to how the information is collected on the PPRs which require individuals to be identified first as white, African-American, Asian-American, Pacific Islander or Native American and only then allows identification as Hispanic.

The Board of Directors of NAPAS has a standing Multi-Cultural Committee which provides advice and support on a variety of multi-cultural issues including data collection. The NAPAS Multi-Cultural Committee is reviewing how persons are asked to identify for the purpose of data collection and will be making recommendations to the administering agencies in the future. The Multi-Cultural Committee also provides advice and support for all NAPAS training activities related to cultural content. Multi-Cultural training will continue to be a NAPAS priority.

Several programs across the country now have full time outreach staff positions to coordinate the provision of advocacy and training services to staff regarding the needs of minority populations within their state. NAPAS, through its Training and Technical Assistance activities, has provided a significant amount of training to P&As to develop strategies for outreach and promotion of cultural competency. In addition, two half day seminars on cultural diversity were conducted for CAPs.

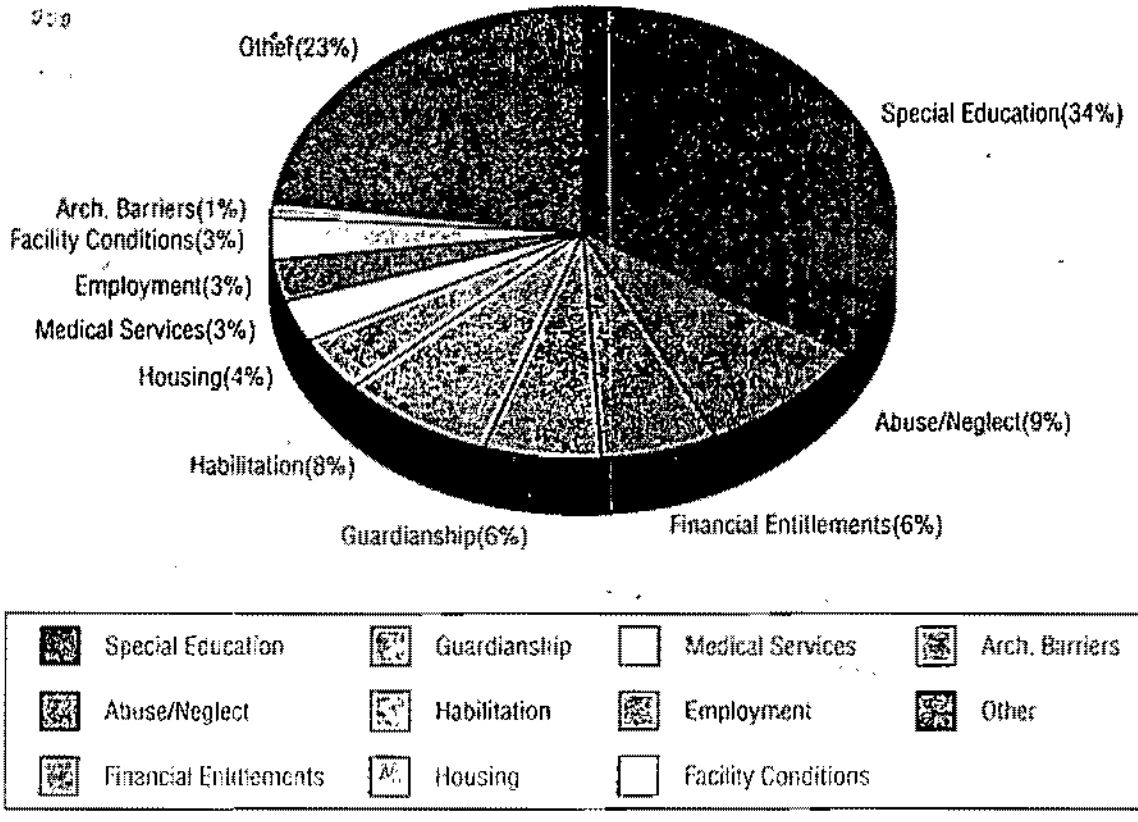


case studies

In addition to the many significant cases and initiatives that P&A and CAP agencies have pursued individually, a number of P&As were (and continue to be) involved in a multi-state cooperative legal initiative designed to restrict the improper use of painful aversive "treatment" at a facility for persons with disabilities. This initiative is being coordinated by the NAPAS Advocacy Training and Technical Assistance Center (ATTAC) and one of its legal back up centers, the Center for Public Representation. The initiative has had some early success - which reinforces NAPAS' view that such collective legal strategies enhance the effectiveness and visibility of P&As.

NAPAS has determined to go forward with additional multi-state legal initiatives in the coming months. The initiatives that are under review and development would focus on using Americans with Disabilities Act (ADA) enforcement to improve access to governmental processes (e.g., the electoral process) for persons with disabilities, and would address the excessive institutionalization and maltreatment of children with mental illness and serious emotional disturbance.

Case Problems
PADD



NAL FRIDAY, SEPTEMBER 23, 1994

Study Says Schools Must Stress Academics

By CATHERINE S. MANEGOLD
Special to The New York Times

WASHINGTON, Sept. 22 — Saying that the American educational system is failing the nation's employers, a leading business organization called today for a new emphasis on basic academic training at the expense of social goals and services.

The Committee for Economic Development, an organization of executives at about 250 large corporations, called for an end to efforts to incorporate mentally and physically handicapped children in regular classrooms, and urged educators to move away from providing social services like pregnancy counseling, AIDS information and drivers' education classes. The group also said schools should not be battlegrounds over ideological issues like abortion, homosexuality and creationism.

"America's public schools are being spread too thin," said Education Secretary Richard W. Riley, who appeared at a press conference at which the organization released a report, "Putting Learning First." "Nothing will be gained by tearing down public education and making the public school classroom the Bosnia of America's competing factions. When a community is divided, the children always suffer."

Reform efforts of the past decade have been sloppy, said Roy J. Bostock, the committee's chairman. As a result, school programs are "diluted, distracted and diffused from the basic mission of education" despite the seemingly endless round of hand-wringing over the quality of education.

The result is an educational system that suits parents and students "who tend to feel satisfied with their schools," but one that increasingly fails the business sector, the report concludes. Employers, the report says, "feel that a large majority of their new hires lack adequate [illegible]"

Creating an achievement standard, he said in comments supporting the group's findings, is "a radical notion that is not radical anywhere else in the world."

The committee's report proposes applying to education the basic notions that have been championed in business circles in recent years, like group merit awards to encourage teamwork, the trimming of bureaucracy and limits on "micromanagement" of classrooms.

Labor Secretary Robert B. Reich, who joined Education Secretary Riley this afternoon for a tour of a model school in New York City, lauded those goals. He said he hoped to see a new link between schools and business that would combine core academic studies with job training.

Schools should not be providing social services, says a business group.

"You have an economy where you have spot shortages of skilled labor, and we don't yet have a system that integrates school and work," said Mr. Reich.

Some businesses are already experimenting with new ways to make the business-education link work. Last week, the I.B.M. International Foundation, the nation's largest corporate philanthropy, announced plans to donate $25 million over five years to help 10 school districts revamp their programs. The first project will be in Charlotte, N.C., where four new public schools will be built around lessons learned in business.

"If we do business with someone, we constantly invite them in to show them new products and how things are changing," said Mr. Bilow. "Nobody does that for schools." The economic development committee's report encourages such communication. It also makes specific recommendations.

For example, it condemns the growing practice, called "intrusion," to move mentally and physically handicapped children to standard classrooms.

"Currently, communities, states and the national government are asking those who manage our classrooms to be parent, social worker, doctor, psychologist, police officer and perhaps, if there is time, teacher," the report says. "It seems that whenever a social crisis, such as AIDS, child abuse or drunk driving is perceived, the government looks to the schools to solve it," the report concludes.

Some state mandates also are criticized. Kentucky regulations, the report notes as an example, "contain such vague statements as 'students will make sense of the variety of materials they read . . . the various things they observe . . . and the various messages to which they listen' without defining what 'make sense of' might mean," the report says.

The comments are not just aimed at the regulations but also at the regulators. School boards are criticized as "attracting individuals who are poorly versed in educational matters, are more interested in using school board membership as a stepping stone to higher political office, have an ideological ax to grind or see school board service as an opportunity for financial gain."

The report calls for holding school board votes with general elections, to involve more voters. It also calls for better training of school board members.

The National School Boards Asso-

and problem-solving skills.

Albert Shanker, the president of the American Federation of Teachers, who attended the press conference, said, "From now on you should not get into college just because you're breathing and you're 18."

The foundation's president, Stanley S. Litow, said the schools would have interactive computer facilities, grade categories only loosely structured around age limits, and intensive study programs. Most other details are now being worked out.

ciation responded that the committee detailed problems that school boards are already grappling with. "The report reinforces NSBA's own recent efforts to enhance school governance," said Boyd Boehlje, the association's president.

LEGAL SERVICES CORPORATION

Talking Points Re: LSC Projects for the Disabled

1. Advocates in Legal Services programs funded by LSC have been using the American with Disabilities Act of 1990 (ADA) to address a wide range of client problems. These include:

   - cutbacks in medical coverage
   - employer discrimination
   - work incentive programs
   - parental and custody rights
   - access denial or difficulty
   - benefits retention

   In 1993, Legal Services programs closed 1,221 cases involving the rights of the physically disabled and 79,396 cases involving SSI benefits and income were closed by Legal Services prgrams around the country.

2. These same legal services advocates have also been helping disabled children across the country as a result of the decision handed down in Sullivan v. Zebley [493 U.S. 521 (1990]. In this decision the Supreme Court held that the process for evaluating disabilities must include an assessment of the actual effects of a child's impairments on their ability to perform tasks in an "age-appropriate" manner. The new regulations implemented by SSA in the face of this decision are being used by legal services attorneys to adjudicate both current and retroactive SSI benefits claims.

3. LSC has funded several special projects addressing the needs of the disabled through its Meritorious and Innovative Grants Program (MIGP), a grant program designed to recognize innovative and worthwhile approaches to the delivery of legal services to the poor. Although the MIGP was shelved during 1994 for budgetary reasons and no projects for the disabled were funded during the 1993 grant cycle, 1992 saw the funding of three specialized projects for the disabled. These are summarized below:

Native American Protection and Advocacy Project (NAPAP)

DNA - Peoples Legal Services, Window Rock, AZ

DNA was given $75,000 to set up a protection and advocacy service for Native Americans with mental and physical disabilities. The project involved direct advocacy and

extensive community and professional legal education for a service area encompassing three Native American Tribes: the Navajo, the Hopi, and the San Juan Pauite. By the end of the initial grant period, DNA had begun publishing an advocacy newsletter with a circulation of 1,200 and had represented over forty clients in disability benefits and rights cases. DNA was also able to secure outside funding for the project and it continues to this day.

Advocacy for Invisible Children Project

Georgia Legal Services (GLS), Atlanta, GA

GLS was given $63,101 to set up an advocacy project for mentally disabled children and wards-of-state confined to state hospitals, but who can no longer benefit from extended hospitalization and may be eligible for government benefits. The project consisted of extensive outreach to locate potential clients in mental institutions, assess their situation, and then provide advocacy for them in SSI cases. The project also included the recruitment and training of local private attorneys to provide further advocacy for these children on a *pro bono* basis. The project was also able to reverse a state Medicare policy that prevented disabled children confined to state hospitals from receiving Medicare benefits. The project closed over fifty separate cases and was actively seeking alternate funding sources at the conclusion of the initial grant period.

Children's Disability Advocacy Project

Legal Aid Society of Albuquerque (LASA)

LASA was given $75,000 to provide legal services to children with disabilities to enable them to obtain SSI benefits. The project included outreach to the families of these children as well as extensive contact with state, local, and federal agencies; bar associations; and judges. A manual on providing advocacy for the disabled in SSI cases was published and the project had closed over twenty cases when last reported.

LEGAL SERVICES CORPORATION

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   - benefits retention

   In 1993, Legal Services programs closed 1,221 cases involving the rights of the physically disabled and 79,396 cases involving SSI benefits and income were closed by Legal Services prgrams around the country.

2. These same legal services advocates have also been helping disabled children across the country as a result of the decision handed down in Sullivan v. Zebley [493 U.S. 521 (1990]. In this decision the Supreme Court held that the process for evaluating disabilities must include an assessment of the actual effects of a child's impairments on their ability to perform tasks in an "age-appropriate" manner. The new regulations implemented by SSA in the face of this decision are being used by legal services attorneys to adjudicate both current and retroactive SSI benefits claims.

3. LSC has funded several special projects addressing the needs of the disabled through its Meritorious and Innovative Grants Program (MIGP), a grant program designed to recognize innovative and worthwhile approaches to the delivery of legal services to the poor. Although the MIGP was shelved during 1994 for budgetary reasons and no projects for the disabled were funded during the 1993 grant cycle, 1992 saw the funding of three specialized projects for the disabled. These are summarized below:

Native American Protection and Advocacy Project (NAPAP)

DNA - Peoples Legal Services, Window Rock, AZ

DNA was given $75,000 to set up a protection and advocacy service for Native Americans with mental and physical disabilities. The project involved direct advocacy and

extensive community and professional legal education for a service area encompassing three Native American Tribes: the Navajo, the Hopi, and the San Juan Pauite. By the end of the initial grant period, DNA had begun publishing an advocacy newsletter with a circulation of 1,200 and had represented over forty clients in disability benefits and rights cases. DNA was also able to secure outside funding for the project and it continues to this day.

Advocacy for Invisible Children Project

Georgia Legal Services (GLS), Atlanta, GA

GLS was given $63,101 to set up an advocacy project for mentally disabled children and wards-of-state confined to state hospitals, but who can no longer benefit from extended hospitalization and may be eligible for government benefits. The project consisted of extensive outreach to locate potential clients in mental institutions, assess their situation, and then provide advocacy for them in SSI cases. The project also included the recruitment and training of local private attorneys to provide further advocacy for these children on a *pro bono* basis. The project was also able to reverse a state Medicare policy that prevented disabled children confined to state hospitals from receiving Medicare benefits. The project closed over fifty separate cases and was actively seeking alternate funding sources at the conclusion of the initial grant period.

Children's Disability Advocacy Project

Legal Aid Society of Albuquerque (LASA)

LASA was given $75,000 to provide legal services to children with disabilities to enable them to obtain SSI benefits. The project included outreach to the families of these children as well as extensive contact with state, local, and federal agencies; bar associations; and judges. A manual on providing advocacy for the disabled in SSI cases was published and the project had closed over twenty cases when last reported.

U.S. Department of Justice

Civil Rights Division

Public Access Section

P.O. Box 66738
Washington, D.C. 20035-6738

SEP 27 1994

Stanley S. Herr
The White House
Office of Domestic Policy
Room 224L
Washington, D.C. 20500

Dear Stan:

Attached you will find the briefing memorandum that you requested at the last meeting of the Federal Disability Accommodations Working Group. It is a brief synopsis of the obligations of Federal executive branch agencies under Federal disability rights laws. I hope that it will prove useful to the members of the Working Group. I have tried to avoid legalisms and make it complete, concrete, and relevant. I remain willing to assist the Working Group in any way that I can.

I have also included our most recent press release -- on the settlement of our case on discrimination on the basis of HIV status against the Castle Dental Center in Houston, Texas. The $100,000 settlement, including $80,000 in compensatory damages for an aggrieved individual and $20,000 in civil penalties, is our largest settlement to date. This case is yet another strong signal that this Administration is fully committed to vigorous enforcement of the Americans with Disabilities Act.

I look forward to seeing you at the meeting on the 29th.

Sincerely,

John L. Wodatch
Chief
Public Access Section

Enclosure

cc: Deval L. Patrick

U.S. Department of Justice

Civil Rights Division

Washington, D.C. 20530

A PRIMER
Disability Laws that Apply to the Federal Executive Agencies

A. BUILDINGS

1. All buildings built by the Federal government or built on behalf of the Federal government since 1968 must be accessible. Architectural Barriers Act of 1968, as amended, 42 U.S.C. §§ 4151-57; section 504 of the Rehabilitation Act of 1973, as amended, 29 U.S.C. § 794.

2. Any alteration to a Federal building, any alteration to a part of any Federal building, any alteration to any building housing a program of a Federal executive branch agency, or any alteration to space leased to a Federal agency must be done in an accessible manner. Id.

3. When a Federal agency leases space in buildings not owned by the Federal government, the agency shall lease space that is accessible. If accessible space is unavailable, the agency can only lease space that has or has been altered to have:

*at least one accessible route to those areas in the building for which the space was leased;

*if toilets are available, at least one accessible one for each sex on each floor having toilets;

*if parking is available, the appropriate number of accessible parking spaces.

*Exception: If no accessible space is available and the lease is necessary for officials servicing natural or human-made disasters on an emergency basis, or the space is used on an intermittent basis, or the occupancy is for no more than twelve months. 36 CFR Part 1190 (Minimum Guidelines and Requirements for Accessible Design of the Access Board), implemented as operating policy by the General Services Administration.

4. When leasing space for its programs, a Federal agency must ensure that, with the addition of the leased space, the Federal agency's program, when viewed in its entirety, is accessible to persons with disabilities. Section 504 of the Rehabilitation Act.

5. A building or alteration is accessible if it conforms to the Uniform Federal Accessibility Standards (UFAS). Most Federal buildings must conform to the standard of the General Services Administration (41 CFR 101-19.6). Residential buildings must conform to the standard of the Department of Housing and Urban Development (24 CFR Part 40). Post offices must conform to the standard of the United States Postal Service (Handbook RE-4). Military bases and buildings must conform to the standard of the Department of Defense (Chapter 18 of DoD 4270.1-M).

6. The Architectural and Transportation Barriers Compliance Board or Access Board is responsible for receiving and resolving complaints under the Architectural Barriers Act. All Federal executive agencies (and there are over 100 of them) are responsible for receiving, investigating, and resolving complaints of discrimination under section 504. Section 504 of the Rehabilitation Act; see, e.g., 28 CFR §39.170 (regulation of the Department of Justice)

B. EMPLOYMENT

1. All Federal executive branch agencies are prohibited from discriminating on the basis of disability against qualified persons with disabilities and must take affirmative action to hire, place, and advance persons with disabilities. Sections 501 and 504 of the Rehabilitation Act of 1973.

2. The Federal executive branch shall be a model employer. 29 CFR §1614.203(b) (regulation of the Equal Employment Opportunities Commission)

3. The standards for what constitutes discrimination on the basis of disability shall be the standards applied under title I of the Americans with Disabilities Act. Sections 501 and 504 of the Rehabilitation Act, as amended, 29 U.S.C. §§ 791(g), 794(d).

4. A Federal executive agency must make reasonable accommodation to the known physical or mental limitations of otherwise qualified individuals with disabilities who are applicants for employment or employees, unless the agency can demonstrate that the accommodation would impose an undue hardship on the operation of the agency. Sections 501 and 504 of the Rehabilitation Act.

*Reasonable accommodations include altering work sites or other facilities used by employees to make them accessible, acquiring or modifying equipment or devices (including the provision of computers), job restructuring, modifying work schedules, providing qualified readers or interpreters, adjusting or modifying examinations, training materials, or policies, or reassigning workers to vacant positions.

*An undue hardship is an action that is excessively costly, extensive, substantial, or disruptive, or that would fundamentally alter the nature or operation of the agency. Because of the resources and scope of Federal agencies, reasonable accommodations in Federal agencies rarely rise to the level of an undue hardship.

5. A Federal executive agency may not ask a job applicant about the existence, nature, or severity of a disability, but may ask about an individual's ability to perform specific job functions. Sections 501 and 504 of the Rehabilitation Act.

*Nor may a Federal executive agency make medical inquiries or conduct a medical examination until after a job offer has been made.

*A job offer may be conditioned on the results of a medical examination, but only if this examination is required for all entering employees in similar jobs.

*A Federal agency may only require a medical examination of an employee or may only make inquiries as to the nature or severity of a disability in limited situations, when the examination or inquiry can be shown to be job-related and consistent with business necessity.

6. The Equal Employment Opportunity Commission is chiefly responsible for enforcing the Federal government's employment nondiscrimination provisions. 29 CFR Part 1614 (regulation on Federal Sector Equal Employment Opportunity of the EEOC).

C. FEDERAL PROGRAMS, SERVICES, AND ACTIVITIES

1. A Federal executive branch agency must not discriminate in carrying out its programs, services, and activities. In simple terms, the nondiscrimination mandate extends to everything that a Federal agency does. Section 504 of the Rehabilitation Act.

2. Each Federal agency has a regulation implementing its nondiscrimination obligations and these regulations establish the specific nature of each agency's nondiscrimination obligations. See, e.g., 1 CFR Part 326 (regulation of the Administrative Conference of the United States); 22 CFR Part 144 (regulation of the Department of State); 29 CFR Part 33 (regulation of the Department of Labor).

3. Examples of programs operated by the Federal executive branch include the Social Security program, the FBI tour, the Internal Revenue Service, the White House tour, the National Parks system, the Federal prison system, the emergency management services programs of FEMA and SBA, and the schools operated by the Department of Defense.

4. Section 504's requirement not to discriminate extends to a wide range of the daily activities of each agency; examples include the obligation to:

*Provide qualified sign language interpreters or other appropriate auxiliary aids at meetings or hearings held by the agency or at conferences or other events sponsored by the agency.

*Provide materials in alternate accessible formats (large print, Brailled materials, audio recordings, computer disks) when materials are made available to the public in printed form.

*Provide captions on all videotapes developed by or on behalf of the agency.

*Provide a sufficient number of TDD's (telecommunication devices for the deaf or text telephones) for agency use, giving particular emphasis to frequently used agency telephone numbers and 800 numbers; Federal agencies should not just rely upon the telecommunications relay for telephone calls from people who are deaf.

*Provide extra assistance or modifications in agency forms to assist persons with mental retardation or other mental disabilities.

*Ensure that, when Federal agencies hold agency-sponsored meetings, conferences, hearings, or other events outside the Federal work place, they only locate these events at accessible sites.

*Provide accessible services at agency facilities when open to the public, for example, the agency library or cafeteria.

*Ensure that, in administering a Federal grant program, the agency neither discriminates on the basis of disability in making grant decisions nor provides funding to entities that themselves discriminate on the basis of disability.

*Obtain written assurances that the grant applicant is not discriminating on the basis of disability.

*Require the submission of addition, targeted, specific information to establish compliance, including budgetary information.

5. Federal agencies shall ensure that individuals with disabilities can produce and have access to information and data regardless of the type of medium, including all electronic and information technologies, that is comparable to the opportunities of individuals who do not have disabilities. Section 508 of the Rehabilitation Act of 1973, as amended, 29 U.S.C. § 794d.

6. Each Federal executive branch agency is responsible for designating an official to coordinate implementation of section 504 for federally conducted programs. Each Federal agency shall receive and resolve complaints of discrimination. Section 504 of the Rehabilitation Act.

D. THE AMERICANS WITH DISABILITIES ACT

*Remember that the Americans with Disabilities Act does not apply to the Federal executive branch. When the ADA was enacted in 1990, a full and rich set of Federal civil rights laws already covered the Federal executive branch. The ADA does apply to all employers with 15 or more employees (other than the Federal government), all units of State and local government, public accommodations, commercial facilities, carriers engaged in telecommunications, the U.S. Senate, the U.S. House of Representatives, and instrumentalities of the U.S. Congress.