

Disability Rights

RHODE ISLAND

Standing Up For Yourself

Presented by:

Disability Rights Rhode Island

David Boyer, Legal Director



Disability Rights

RHODE ISLAND



We are located in downtown Providence

33 Broad Street, Suite 601
Providence, RI 02903

Our phone numbers :

Voice: 401.831.3150
TTY: 401.831.5335
FAX: 401.274.5568
Clients: 800.733.5332

+ Legal Disclaimer



This presentation contains general information about the law and legal practice. The information is not legal advice and should not be treated as such.



You must not rely on the information in this presentation as an alternative to legal advice from your lawyer or other professional services provider.

+ Introduction: About Disability Rights Rhode Island (DRRI)

- **Disability Rights Rhode Island is Rhode Island's designated Protection and Advocacy system.**
- **We are part of the national network of Protection and Advocacy (P&A) agencies created by Congress, existing in every state and territory, to help secure and advance the rights of people with disabilities. There are 57 P&As in the United States, U.S. territories, and the District of Columbia.**
- **Our purpose is to protect individuals with disabilities from abuse and neglect and to advocate for their civil rights.**



DRRI Provides:

- **Information and referral**
- **Advice and self-help materials**
- **Individual representation**
- **Trainings on disability-related legal rights**
- **Systemic reform**



Federal Disability Law



+ Civil Rights Act of 1964

- **Outlawed discrimination based on race, color, religion, sex, and national origin**
- **One of the most significant legislative acts in US history**
- **People with disabilities were excluded**

+ Rehabilitation Act of 1973

- **Prohibits discrimination on basis of disability in programs conducted by the federal government**
- **Often referred to as “Section 504”**
- **Includes requirements of reasonable accommodations, program accessibility, effective communication, physical accessibility**
- **Delayed implementation until 1977 (“Crip Camp”)**

+ Americans with Disabilities Act (1990)

- **Extension of Civil Rights Act of 1964 to people with disabilities**
- **Extension of Rehab Act to non-federal entities**
- **Sections:**
 - **Title I: Covers employment**
 - **Title II: Covers public entities**
 - **Title III: Covers public accommodations**
 - **Title IV: Telecommunications**
 - **Title V: Miscellaneous (including retaliation)**

+ Fair Housing Act

- **Originally 1968, added people with disabilities in 1988**
- **Prohibits discrimination based on disability**
- **Allows for a request for reasonable accommodation/modification**
- **Prohibits coercing, intimidating, threatening, or interfering with the enjoyment of dwelling**

+ Individuals with Disabilities Education Act (1990)

- **Everyone entitled to Free and Appropriate Public Education**
- **Students with disabilities receive an Individualized Education Plan**
- **Education provided in least restrictive environment**
- **Appropriate evaluation is required**
- **Parent and Teacher both involved**
- **Procedural safeguards are in place**

+ Overall Goal: Community Integration

- **Everyone with a disability should be able to live in the community and fully participate in every aspect to the best of their ability and desire.**



Ten Steps to Effective Self-Advocacy



+ Believe in Yourself and Prioritize Your Needs

- **No one knows a person's needs better than that person**
- **Believe in yourself!**
- **You can make decisions and you can have a quality life**
- **But you have to plan!**

+ Know Your Rights

- **Know the laws (federal and state)**
- **Know that you can get this information in a variety of ways and with accommodation**

+ Keep Records

- **Sometimes you have to prove that you need something**
- **Sometimes you have to show that you have been denied**
- **Sometimes you have to show the history of your efforts**
- **Records will all substantiate your story!**

+ Prepare and Plan

- **Figure out what you need and make a list**
- **Write down questions or your needs before an appointment**
- **Talk with others about what helps them**
- **Make sure you have an outline or notes when you make requests or meet with decision makers**

+ Be Creative and Assertive

- **Communication should be short and to the point**
- **Consider how much history is helpful**
- **Conflict is inevitable! How you react is important**
- **Be assertive, not aggressive and try to foster cooperation**

+ Get Information and Decisions in Writing

- **Meetings are stressful and oftentimes jargony – take notes and ask for information to be provided in writing**
- **The more data you have, the better you will be at advocacy**
- **If you disagree with a decision, get the reasoning in writing**

+ Right to Appeal

- **Most decisions have a higher authority**
- **You typically have rights to due process including appeal**
- **These appeals have strict procedures and timelines!**

+ Interim Solutions

- While you wait for decisions, is there something else?
- A lot of this takes time...is there a shorter solution for now?

+ Confirm Agreements and Sign Documents

- **Many times, both sides will have to agree and sign documents**
- **Take your time, read it all**
- **Discuss it with trusted people in your life**
- **Don't sign unless you agree!**

+ Follow Up and Thank

- **Make sure you stay on top of things and be persistent**
- **Watch deadlines**
- **Keep addresses up to date**
- **Thank those that helped along the way**

+ DRRI Contact Information

**Disability Rights Rhode Island
33 Broad Street, Suite 601
Providence, Rhode Island 02903-3434**

**(401) 831-3150 Voice
(401) 831-5335 TTY
(401) 274-5568 FAX
(800) 733-5332 Clients**

**Our website: <http://www.drri.org>
Feel free to “Like” us on Facebook too!**

www.facebook.com/drri.org

Follow us on Twitter!

[@RIDisabilities](https://twitter.com/RIDisabilities)

+ Thank you!

■ Questions?



■ Please fill out our survey to help us improve our trainings: <https://drri.org/training-and-presentation-evaluation-form/>