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RSA-509 - Protection & Advocacy of Individual Rights (PAIR) Program Performance Report

**West Virginia (WEST VIRGINIA ADVOCATES, INC -- CLIENT ASSISTANCE
PROGRAM) - H240A110049 - FY2011**

General Information

Designated Agency Identification

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West Virginia Advocates

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Part I. Non-Case Services

A. Individual Information and Referral Services (I&R)

Multiple responses are not permitted.

1. Individuals receiving I&R within PAIR priority areas
19
2. Individuals receiving I&R outside PAIR priority areas
231
3. Total individuals receiving I&R (lines A1 + A2)
250

B. Training Activities

1. Number of trainings presented by PAIR staff
17
2. Number of individuals who attended training (approximate)
427

WVA provided training regarding Special Education Procedural Safeguards/parental responsibilities and filing State Complaints. The training was sponsored by the Fair Shake Network (of whom WVA is a member), along with The Arc of the Mid-Ohio Valley, the WV Developmental Disabilities Council, the West Virginia University Center for Excellence in Disabilities (CED) and the WV Division of Rehabilitation Services. The purpose of the event was to educate parents of their child's right to a Free and Appropriate Public Education (FAPE). WVA's role was to strengthen the advocacy skills of the attendees. Attendees were primarily parents and other family members of children with disabilities.

A WVA attorney provided "An Overview of Special Education Advocacy for Children with Disabilities" for the 2011 Celebrating Connections conference. The Celebrating Connections conference was "designed to provide relevant information about practices, policies, planning and research that enhances community partnerships and quality in early care and education". It is primarily geared toward early childhood educators and other types of early childhood service providers. Topics included referral, eligibility, and evaluation for special education services, IEP meeting and IEP development, and procedural safeguards. The purpose of WVA's presentation was to train participants of this conference to become better informed about the rights of children with disabilities to get a Free and Appropriate Public Education (FAPE). This training focused on how to be an effective special education advocate for children with disabilities. Participants received practical advocacy advice and learned about the legal protections, advocacy tools and skills that enable parents to navigate the special education arena. The session also included a discussion of the federal and state laws and

policies that impact the education programs and services that children with disabilities receive.

See other trainings described in the Priority and Objective Narratives.

C. Information Disseminated to the Public

1. Radio and TV appearances by PAIR staff	0
2. Newspaper/magazine/journal articles	0
3. PSAs/videos aired	0
4. Hits on the PAIR/P&A website	349,623
5. Publications/booklets/brochures disseminated	11,428
6. Other (specify separately)	7,593

Narrative

1. Although WVA staff did not have any time on the radio, WVA did pay for advertisements on several radio stations throughout the state for the Wrightslaw special education law boot camp described in Priority 1 as well as an announcement soliciting public input for our FY 2012 Priorities and Objectives.

5. WVA distributed the following publications during outreach events funded all or partially by PAIR dollars in FY 11:

WVA 1:1 Aide info: 162

WVA 4 page fact sheet: 13

WVA A Guide to Your Treatment Plan, Brochure: 227

WVA Advocare: 3,510

WVA Annual Report: 3,282

WVA Brochure: 1,493

WVA CAP Brochure: 37

WVA CAP Flyer: 73

WVA CAP/PABSS Poster: 3

WVA DME Tips: 27

WVA EPSDT booklet: 40

WVA Fact Sheet on TBI: 23

WVA Help! For Parents: 107

WVA PAAT Flyer: 67

WVA PABSS Brochure: 61

WVA PABSS fact sheet: 60

WVA PAVA Brochure: 152
WVA People with Disabilities Work Brochure: 631
WVA Self-Advocacy, MR/DD Waiver Hearing: 82
WVA Voting Newsletter: 208
WVA Work Folder: 778
WVA Your Guide to Services from WVDRS: 393
6: WVA Outreach Materials distributed during outreach events funded all or partially by PAIR dollars:
WVA Baseball Stress Balls: 1,486
WVA Bendzee Sticks: 11
WVA Business Card: 125
WVA Fans: 497
WVA Finger Print Kits: 688
WVA Frisbees: 765
WVA Highlighters: 127
WVA Magnet: 1,305
WVA Magnetic Clips: 260
WVA Note Pad: 296
WVA PAVA Bags: 287
WVA Pen: 1,196
WVA Pencil: 489
WVA Stadium Cup: 186
WVA launched a Facebook page in early FY 2011. We often include information about upcoming events and training available to people with disabilities that are sponsored by WVA as well as other organizations who serve people with disabilities. There are currently one hundred twenty-nine (129) “Fans” of our Facebook page.

Part II. Individuals Served

A. Individuals Served

Count individual once per FY. Multiple counts not permitted for lines A1 through A3.

1. Individuals still served as of October 1 (carryover from prior FY)	17
2. Additional individuals served during the year	52
3. Total individuals served (lines A1 + A2)	69

4. Individuals w. more than 1 case opened/closed during the FY. (Do not add this number to total on line A3 above.)	13
B. Individuals served as of September 30	
Carryover to next FY may not exceed total on line II. A.3 above	33
C. Problem Areas/Complaints of Individuals Served	
1. Architectural accessibility	19
2. Employment	2
3. Program access	11
4. Housing	2
5. Government benefits/services	1
6. Transportation	0
7. Education	28
8. Assistive technology	2
9. Voting	0
10. Health care	5
11. Insurance	0
12. Non-government services	1
13. Privacy rights	0
14. Access to records	0
15. Abuse	4
16. Neglect	14
17. Other	1
D. Reasons for Closing Individual Case Files	
1. Issues resolved partially or completely in individual favor	33
2. Other representation found	0

3. Individual withdrew complaint	9
4. Appeals unsuccessful	3
5. PAIR Services not needed due to individual's death, relocation etc.	2
6. PAIR withdrew from case	4
7. PAIR unable to take case because of lack of resources	0
8. Individual case lacks legal merit	1
9. Other	0

Please explain

E. Intervention Strategies Used in Serving Individuals

List the highest level of intervention used by PAIR prior to closing each case file.

1. Technical assistance in self-advocacy	10
2. Short-term assistance	31
3. Investigation/monitoring	1
4. Negotiation	6
5. Mediation/alternative dispute resolution	4
6. Administrative hearings	0
7. Litigation (including class actions)	0
8. Systemic/policy activities	0

Part III. Statistical Information on Individuals Served

A. Age of Individuals Served as of October 1

Multiple responses not permitted.

1. 0 - 4	0
2. 5 - 22	25
3. 23 - 59	23
4. 60 - 64	

5. 65 and over	6
	15
B. Gender of Individuals Served	
Multiple responses not permitted.	
1. Females	26
2. Males	43
C. Race/Ethnicity of Individuals Served	
1. Hispanic/Latino of any race	
1	
<i>For individuals who are non-Hispanic/Latino only</i>	
2. American Indian or Alaskan Native	
2	
3. Asian	
0	
4. Black or African American	
7	
5. Native Hawaiian or Other Pacific Islander	
0	
6. White	
59	
7. Two or more races	
0	
8. Race/ethnicity unknown	
0	
D. Living Arrangements of Individuals Served	
Multiple responses not permitted.	
1. Independent	28
2. Parental or other family home	24
3. Community residential home	0
4. Foster care	0
5. Nursing home	6
6. Public institutional living arrangement	0
7. Private institutional living arrangement	1
8. Jail/prison/detention center	9
9. Homeless	

10. Other living arrangements	1
	0
11. Living arrangements not known	0
E. Primary Disability of Individuals Served	
Identify the individual's primary disability, namely the one directly related to the issues/complaints	
1. Blind/visual impairment	1
2. Deaf/hard of hearing	7
3. Deaf-blind	0
4. Orthopedic impairment	13
5. Mental illness	0
6. Substance abuse	0
7. Mental retardation	2
8. Learning disability	1
9. Neurological impairment	8
10. Respiratory impairment	2
11. Heart/other circulatory impairment	0
12. Muscular/skeletal impairment	2
13. Speech impairment	0
14. AIDS/HIV	1
15. Traumatic brain injury	1
16. Other disability	31

Part IV. Systemic Activities and Litigation

A. Systemic Activities

1. Number of policies/practices changed as a result of non-litigation systemic activities	0
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2. Number of individuals potentially impacted by policy changes 0

Describe your systemic activities. Be sure to include information about the policies that were changed and how these changes benefit individuals with disabilities. Include case examples of how your systemic activities impacted individuals served.

B. Litigation/Class Actions

1. Number of individuals potentially impacted by changes as a result of PAIR litigation/class action efforts 0

2. Number of individuals named in class actions 0

Describe your litigation/class action activities. Explain how individuals with disabilities benefited from your litigation activities. Be sure to include case examples that demonstrate the impact of your litigation.

Part V. PAIR'S Priorities and Objectives

A. Priorities and Objectives for the Fiscal Year Covered by this Report

For each of your PAIR program priorities for the fiscal year covered by this report, please:

1. Identify and describe priority.
2. Identify the need, issue or barrier addressed by this priority.
3. Identify and describe indicators PAIR used to determine successful outcome of activities pursued under this priority.
4. Explain whether pursuing this priority involved collaborative efforts by other entities. If so, describe this collaboration.
5. Provide the number of cases handled under the priority. Indicate how many of these, if any, were class actions.
6. Provide at least one case summary that demonstrates the impact of the priority.

Note: Priorities 3, 6 and 8 had no PAIR Objectives.

PRIORITY 1:

1. Children and youth with disabilities receive a free and appropriate public education in the least restrictive environment.

2&3. PAIR objectives

WVA will represent up to four (4) students in due process proceedings, if necessary, in cases that meet WVA's case selection criteria.

WVA will provide five (5) trainings to parents and other interested parties to increase their knowledge of self-advocacy related to student's rights under the WV Department of Education Policy 2419.

WVA staff will provide two (2) trainings to students, parents, and other interested parties to increase their knowledge of student's rights under IDEA with a focus on transition services.

WVA will provide direct advocacy services on behalf of students with disabilities relative to suspensions, expulsions, out-of-school environment and alternative education placements for up to fifteen (15) individuals.

WVA will maintain and facilitate a special education electronic communication network to ensure that parents and students have access to up to date information and technical assistance regarding special education issues.

WVA will provide three (3) Individualized Education Plan (IEP) clinics.

WVA will sponsor a Wrightslaw Boot Camp training related to student's rights under IDEA.

4. Collaboration

N/A

5. Seven (7) PAIR Service Requests were opened and four (4) were closed under this Priority.

6. Narratives

A parent requested information regarding the client's rights within the school system. The parent requested the client be evaluated for special education services and her request was refused. WVA requested and reviewed records from the school system. WVA communicated with various school district personnel. A WVA staff attorney filed a due process complaint and attended a resolution meeting. The school district agreed to evaluate the client to determine eligibility for special education services. A settlement agreement was entered into and signed by all parties.

Again in FY 2011 WVA provided training to parents of children with disabilities as well as other interested parties specific to special education and related services under West Virginia Department of Education's Special Education Policy 2419. Although we had planned five (5) trainings, due to demand WVA conducted six (6) of these trainings and presented to individuals from thirty-seven (37) of the fifty five (55) counties in the state. Sixty-five (65) individuals received training. All participants were provided with a special education packet with a wealth of parent friendly resources as well as a copy of Policy 2419. In combination with two (2) of these trainings, WVA provided training about the Individuals with Disabilities Education Act (IDEA) with a focus on transition planning. A total of nine (9) people were trained.

A parent requested representation at a manifestation determination meeting and an expulsion hearing if necessary. WVA requested and reviewed documents and provided representation at a manifestation determination meeting. WVA also provided technical assistance to a private attorney in regard to the expulsion hearing. It was determined at the manifestation determination meeting that the conduct in question was not caused by the client's disability, nor the school district's failure to implement the Individualized Education Program. However, it was determined at the expulsion hearing that the client would not be expelled and the client was allowed to return to school.

WVA once again planned and sponsored a special education training by Wrightslaw for parents of children with disabilities in the school system and other interested parties. Attendees were trained by experienced special education law attorney Pete Wright and psychotherapist Pam Wright in the rights of students with disabilities. One hundred fifty-seven (157) individuals received training and related materials at this two (2) day event. Social work and educator Continuing Education Units as well as attorney Continuing Legal Education hours were available. WVA collaborated with the Developmental Disabilities Council, who provided stipends for families of children with developmental disabilities. In addition, the Rehabilitation Services Administration (RSA) approved WVA to offer stipends to families of PAIR eligible children.

PRIORITY 2

1. People with Disabilities are Able to Live in the Community Setting of Their Choice with Individualized Supports, Services, and Protections as Ordered in the Olmstead Decision.

2&3. PAIR objectives

WVA will advocate systemically for citizens of West Virginia to access ventilator care services within West Virginia by educating the Legislature on the fiscal impact of the current legislation.

4. Collaboration

N/A

5. No PAIR service requests were opened or closed under this priority. It was systemic in nature.

6. Case/project narratives:

WVA completed a collection of data and acquired the information we need for a fiscal impact statement and have a delegate in state legislature willing to consider resubmitting a bill in next legislative session with the fiscal note attached.

PRIORITY 4

1. People with disabilities are free from abuse and neglect.

2&3. PAIR objectives

WVA will investigate all allegations of abuse or neglect that are reported to or discovered by WVA in which there is a possibility of death or serious injury.

WVA will investigate and monitor alleged abuse/neglect during acts of seclusion, restraint, use of aversive techniques, excessive force and other punitive methods of controlling individuals with disabilities at state and private facilities, and WV schools that are reported to or discovered by WVA.

WVA will advocate for disability related medical/psychiatric treatment, including properly prescribed and administered medication to be available to incarcerated individuals of all ages that come to the attention of WVA.

WVA will provide direct advocacy services to individuals who meet WVA's case selection criteria and are at risk of abuse, neglect, or financial exploitation when requested by the individual or their legal representative

WVA will collaborate to provide public education about the prevalence and prevention of abuse of individuals with disabilities.

4. Collaboration.

N/A

5. Twelve (12) PAIR service requests were opened and eight (8) were closed under this Priority.

6. Case/project narratives:

The client's daughter in law requested assistance with an allegation of patient to patient abuse at a nursing home. WVA visited the client at the nursing home to complete a face to face intake. WVA provided the client's family with contact information for various protection agencies. In addition, WVA reported the incident to the Office of Health Facility Licensure and Certification (OHFLAC), Long Term Care Ombudsman, and Adult Protective Services. As a result, WVA received a letter from OHFLAC, stating that the nurse surveyor verified the complaint with deficiencies cited.

The client requested assistance in getting appropriate medical treatment for neck cancer. WVA requested and reviewed medical records from the correctional facility and private physicians. WVA communicated with staff at the prison and requested that the client have the opportunity to schedule an appointment with an Oncologist. Due to WVA's advocacy the client was able to schedule two appointments with an Oncologist and was prescribed medication for ongoing treatment.

PRIORITY 5:

1. People with Disabilities Have Equal Access to Programs, Services and the Physical Environment as Required by the Americans with Disabilities Act (ADA), Section 504 of the Rehabilitation Act of 1973, as Amended, and the Fair Housing Act.2&3.

2&3. PAIR objectives

WVA will advocate for up to twenty-five (25) people with disabilities who meet WVA's case selection criteria.

WVA will coordinate with the West Virginia Fair Housing Initiatives Program (FHIP) to conduct education and outreach throughout the state on housing rights issues.

4. Collaboration

5. Thirty-seven (37) PAIR service request were opened and twenty-one (21) closed under this priority.

None were class actions.

6. Case/project narratives:

The client attends a university and requested assistance in getting an American Sign Language (ASL) interpreter for his classes. WVA corresponded with the Dean of Students/504 Coordinator to advocate for the university to provide an ASL interpreter for the client's classes. The university hired an ASL interpreter to work with the client. The university began providing an interpreter for the client's classes, one to one tutoring, and several other classroom accommodations.

WVA participated in events/trainings with the WV Fair Housing Initiatives Program (FHIP). WVA attended events in Beckley and Charleston, WV. Workshops focused on Fair Housing Rights and Responsibilities and one event included a training called "Design and Construction and Reasonable Modifications". WVA set up our outreach display as well as answered questions about disability related housing rights issues. WVA received brochures and other housing information from the FHIP and agreed to distribute it to callers as applicable. WVA posted the training schedule on both our website and Facebook page.

WVA was invited to participate in the Morgantown Analysis of Impediments to Fair Housing Study Community and Housing Stakeholder Focus Group. Members of FHIP were involved in that group as well. Additionally, WVA was invited to participate in the City of Huntington Development Office meeting regarding housing concerns. The group discussed the housing problems and lack of collaboration in the city of Huntington. The goals were to improve housing concerns involving homeless shelters, landlord power, and long and short term assistance in housing. WVA also took the opportunity during other housing related events and trainings attended to network with other professionals regarding fair housing for people with disabilities.

PRIORITY 7

1. People with Disabilities Have Equal Access to Employment and Employment-Related Services.

2&3. PAIR objectives

WVA will offer a continuing education training for attorneys in the area of disability employment law.

4. Collaboration

N/A

5. There were no service requests handled under this objective. It was a training objective.

6. Case/project narratives:

Forty-eight (48) participants attended the seminar. Participants were mostly attorneys, but also included WVA staff, WVA PAIMI Advisory Council members, WVA Board members, and WV Division of Rehabilitation employees. Participants received information about the rights of people with disabilities in the workplace and remedies available when discrimination occurs. The presenters provided legal perspectives from individuals with disabilities, employers, and the

Office of the Attorney General. Participants also received information about WVA.

PRIORITY 9

1. WVA Will Collaborate With Existing Grassroots Networks in Conducting Education and Outreach on Disability Related Self-Advocacy.

2&3. PAIR objectives

WVA will actively participate on various committees, coalitions, and other types of groups with grassroots advocacy missions.

WVA will develop and conduct outreach to educate underserved populations, including people who are homeless, about their disability rights.

4. Collaboration

See narratives below.

5. There were no service requests handled under this objective. It was systemic in nature.

6. Case/project narratives:

ADA Coalition

WVA continues to be an active member of the Americans with Disabilities Act (ADA) Coalition whose primary purpose is to increase awareness of the ADA for both people with disabilities and businesses. The ADA Coalition held a training called "The Revised ADA Regulations Implementing Title II and Title III" presented by Sally Conway, Deputy Chief, Civil Rights Division, U.S. Department of Justice. WVA was a co-sponsor of this event. This was an all day seminar on the new Title II and Title III regulations. It was attended by individuals with disabilities, Human Rights investigators, advocates and attorneys from the P&A, Center for Independent Living staff, architects and state agency personnel.

Fair Shake Network

West Virginia Advocates, Inc. (WVA) continues to be a member of the Fair Shake Network (FSN). FSN is a grass roots organization of people with disabilities and other interested parties who are concerned with systems change to ensure people with disabilities get a "fair shake". The activities of the organization include education on disability issues and various legislative activities. In FY 2011, WVA worked extensively with the FSN during the West Virginia State Legislative Session. WVA met with members of the FSN three to four times weekly as they monitored and advocated for various bills by educating members of the legislature on issues that pertained to disability related legislation and resolutions. WVA participated in and helped fund the annual FSN Training Day in January which served to educate and advise individuals with disabilities to self-advocate regarding issues that pertained to legislation and other forms of policy making. WVA attended the FSN's board training and acted as a facilitator in several other brief trainings that the FSN held in FY 11.

In an effort to reach out to underserved populations, WVA partnered with Kroger Pharmacy to have WVA's logo, services and contact information printed on their pharmacy bags. At each location, 24,000 bags will be circulated until the supply is depleted. The bags are currently being distributed in the following locations in West Virginia: Charleston (west side), Danville, Princeton, Bluefield, Lewisburg and Hinton. Most of these locations are in areas known as the "southern coal fields" which are considered to be rural and economically disadvantaged areas of the state.

B. Priorities and Objectives for the Current Fiscal Year

Please include a statement of priorities and objectives for the current fiscal year (the fiscal year succeeding that covered by this report), which should contain the following information:

1. a statement of each priority;
2. the need addressed by each priority; and;
3. a description of the activities to be carried out under each priority.

Priority 1: Children and Youth with Disabilities Receive a Free and Appropriate Public Education in the Least Restrictive Environment.

Description of needs and activities (Objectives):

WVA will represent up to four (4) students in due process proceedings in cases that meet WVA's case selection criteria.

WVA will provide at least five (5) trainings to students, parents, and other interested parties to increase their knowledge of self-advocacy related to student's rights under WV Department of Education Policy 2419.

WVA staff will provide four (4) trainings to students, parents, and other interested parties to increase their knowledge of student's rights under IDEA with a focus on transition services.

WVA will provide direct advocacy services on behalf of students with disabilities relative to suspensions, expulsions, out-of-school environment, alternative education placements, for up to fifteen (15) individuals.

WVA will provide direct advocacy services on behalf of students with disabilities relative to bullying and the use of seclusion and restraints for up to ten (10) individuals.

WVA will use social media to post information about special education at least one (1) time per quarter.

WVA will provide at least three (3) Individualized Education Plan (IEP) clinics.

WVA will develop a training about Section 504 of the Rehabilitation Act for parents and other interested parties.

Priority 2: People with Disabilities are Able to Live in the Community Setting of Their Choice with Individualized Supports, Services, and Protections as Ordered in the Olmstead Decision.

Description of needs and activities (Objectives):

WVA will advocate systemically for citizens of West Virginia to access ventilator care services within West Virginia.

WVA will monitor and participate in discussions regarding proposed changes to West Virginia Medicaid to ensure that individuals with disabilities have access to services for which they are eligible.

Priority 4: People with Disabilities are Free from Abuse and Neglect.

Description of needs and activities (Objectives):

WVA will investigate or refer for investigation allegations of abuse or neglect that are reported to or discovered by WVA in which there is a possibility of death or serious injury.

WVA will investigate and monitor alleged abuse/neglect that occurs during acts of seclusion, restraint, use of aversive techniques, excessive force or other punitive methods of controlling individuals with disabilities at state and private facilities, and WV schools that are reported to or discovered by WVA.

WVA will advocate for disability related medical/psychiatric treatment, including properly prescribed and administered medication to be available to individuals of all ages who are incarcerated that come to the attention of WVA.

WVA will provide direct advocacy services to individuals who meet WVA's case selection criteria and are at risk of abuse, neglect, or financial exploitation when requested by the individual or their legal representative.

WVA will collaborate with organizations who serve individuals with disabilities to provide public education about the prevalence and prevention of abuse.

WVA will collaborate with the WV Developmental Disabilities Council and other agencies regarding the development of policies for seclusion and restraint in schools.

Priority 5: People with Disabilities Have Equal Access to Programs, Services and the Physical Environment as Required by the Americans with Disabilities Act (ADA), Section 504 of the Rehabilitation Act of 1973, as Amended, the Architectural Barriers Act (ABA) and the Fair Housing Act.

Description of needs and activities (Objectives):

WVA will advocate for up to twenty-five (25) people with disabilities who meet WVA's case selection criteria.

WVA will collaborate with advocacy groups who are concerned with housing issues for people with disabilities to conduct education and outreach throughout the state.

WVA will collaborate with the West Virginia Commission for the Deaf and Hard of Hearing to advocate for access to American Sign Language interpreters in West Virginia.

WVA will collaborate with organizations throughout West Virginia that serve veterans to provide outreach and education to veterans with disabilities.

Priority 7: People with Disabilities Have Equal Access to Integrated Employment and Employment-Related Services.

Description of needs and activities (Objectives):

WVA will provide self-advocacy training on employment rights to individuals with disabilities.

WVA will advocate systemically for people with disabilities to have access to supported employment.

Priority 9: WVA Will Collaborate With Existing Grassroots Networks in Conducting Education and Outreach on Disability Related Self-Advocacy.

Description of needs and activities (Objectives):

WVA will actively participate on various committees, coalitions, and other types of groups with grassroots advocacy missions.

WVA will develop and conduct disability rights outreach to educate underserved populations of people with disabilities about their rights.

WVA will collaborate with other organizations to address the need for education and awareness about prevention of bullying and harassment of students with disabilities in educational settings.

WVA will address the need for the training of First Responders in recognizing and assisting people with disabilities in emergency situations.

*Priorities 3, 6 and 8 do not include PAIR as a funding source.

Part VI. Narrative

Narrative

At a minimum, you must include all of the information requested. You may include any other information, not otherwise collected on this reporting form that would be helpful in describing the extent of PAIR activities during the prior fiscal year. Please limit the narrative portion of this report, including attachments, to 20 pages or less.

The narrative should contain the following information. The instructions for this form outline the information that should be contained in each section.

- A. Sources of funds received and expended
- B. Budget for the fiscal year covered by this report
- C. Description of PAIR staff (duties and person-years)
- D. Involvement with advisory boards (if any)
- E. Grievances filed under the grievance procedure
- F. Coordination with the Client Assistance Program (CAP) and the State long-term care program, if these programs are not part of the P&A agency

A. Sources of funds received and expended

Source of funding Total expenditures spent on individuals

Federal funds \$222,629

State funds \$0

All other funds \$0

Total from all sources \$222,629

B. Budget for the fiscal year covered by this report

Category Current (FY 11) Next (FY 12)

Wages & Salaries \$95,994 \$85,625

Fringe Benefits 32,206 34,375

Materials/Supplies 5,176 4,525

Postage 1,800 2,000

Telephone 3,770 4,600

Rent 7,449 6,183

Travel/Training 5,325 7,900

Copying 1,344 4,300

Equipment Rental/Purchase/Depreciation 1,850 1,550

Legal Services 500 300

Indirect Costs 25,584 15,723

Conferences 13,477 1,950

Outreach 49,563 1,700

Contracted Services 4,019 7,083

Total Budget \$248,057 \$177,814

C. Description of PAIR staff (duties and person-years)

Type of Position equivalent position filled Person-years

Professional

Months Year

Full/Part-Time FTE Worked Total

Full-Time 0.30 12 1.00

Full-Time 0.16 12 1.00

Full-Time 0.13 12 1.00

Full-Time 0.13 12 1.00

Full-Time 0.25 12 1.00

Full-Time 0.12 12 1.00

Full-Time 0.10 12 1.00

Full-Time 0.20 12 1.00

Full-Time 0.15 12 1.00

Full-Time 0.12 12 1.00

Full-Time 0.13 12 1.00
Part-Time 0.14 2 0.17
Part-Time 0.16 7 0.58
Part-Time 0.03 9 0.75
Part-Time 0.11 10 0.83
Part-Time 0.10 5 0.42
Part-Time 0.59 8 0.67
Part-Time 0.15 8 0.67
Part-Time 0.24 6 0.50
Part-Time 0.21 6 0.50
Part-Time 0.07 11 0.92
Part-Time 0.09 3 0.25
Full-time 1.79 100.00% 11.00
Part-time 1.89 75.00% 6.25
Vacant N/A N/A N/A

Clerical

Full-Time 0.16 12 1.00
Full-Time 0.13 12 1.00
Full-Time 0.15 12 1.00
Full-time 0.44 100.00% 3.00
Part-time N/A N/A N/A
Vacant N/A N/A N/A

D. Involvement with advisory boards (if any)

Inter-coordinating Council for WV's Early Intervention/Birth to Three (BTT)

The group serves as the advisory council for the State Birth to Three program funded by IDEA part C. The council reviews and provides input on state policies, procedures, professional tools and professional training materials, as well as curriculum used with families. The council also provides input on the development of documents and outreach materials used in the Birth to Three system. The council monitors the outcome data regarding the program. The council includes: WV Parent Training and Information; Parent Educator Resource Centers; RAU administrators and parent partners; vendors, Family Resource Networks; Head Start; WV Department of Education; WV Insurance Commission; Office of Maternal, Child and Family Health; independent service coordinators; Occupational Therapy, Physical Therapy and Speech Language Pathology providers; West Virginia University's Speech Language Pathology Department; Concord College Early Childhood chair; and parents.

Parent Partnership Workgroup

WVA continues to be a member of the Parent Partnership Workgroup. This group evaluates the availability of information and resources for both families of students with special education needs and the agencies that serve them. The group helps the West Virginia Department of Education (WVDE) Office of Special Programs, Extended and Early Learning determine what additional resources are needed, how to help families become aware of these resources, and provides input into the development of future resources. In FY 2011, the group gathered information and received training to develop a bullying/harassment brochure to give to families/students. The group has also had discussions regarding the change of the state policy regarding seclusion/restraint in the school setting. This policy was out for public comment at the end of the fiscal year.

WV Anti-bullying Coalition

In FY 2011, WVA was invited to become involved with the newly formed WV Anti-bullying Coalition. The members represent a wide range of demographics commonly subjected to various degrees of bullying. This Coalition was formed in the summer of 2011 and has spent the first few months of its existence drawing up its purpose, definitions and objectives. WVA's involvement to this point has revolved mainly around assisting in these areas as the Coalition begins a journey to end bullying against people that come from different backgrounds, including people with disabilities. This group meets monthly with several sub-committees meeting on a monthly basis as well.

The West Virginia Olmstead Council

The Council was established to advise and assist the Olmstead Coordinator to develop, implement, and monitor West Virginia's Olmstead activities. The mission of the Olmstead Council is to assist all West Virginia citizens with disabilities to have the opportunity to receive supports and assistance in the most integrated setting in the community. WVA is a member of this Council. The Olmstead Office and Council oversaw and advised four initiatives during state fiscal year 2011:

1. The Olmstead Information, Referral and Assistance Program provided West Virginia citizens with information or referral needs concerning the long term care system. In addition to information and referral, the Olmstead Office provided citizens with assistance on Olmstead-related complaints or grievances.
2. The second initiative is the West Virginia Transition Navigator Program. This program provided assistance to people wishing to return to or remain in their home and community. .
3. The third initiative is the SAMHSA Olmstead grant. This program provides federal grant funds to community organizations to implement specific and targeted Olmstead-related goals. In FY 2010 SAMHSA granted the West Virginia Olmstead program a 3-year, \$60,000 grant. The purpose of this grant funding is to expand resources and opportunities for adults with serious mental illnesses and children with serious emotional disturbances to live in their home communities.
4. The last initiative is the West Virginia Long Term Care Partnership grant. The Olmstead Office and Council partnered with the West Virginia Developmental

Disabilities Council and the Fair Shake Network to apply for grant funding offered by the West Virginia Long Term Care Partnership. The grant project was to study Intermediate Care Facilities for Persons with Mental Retardation (ICF/MR) and best practices for serving people in the community. The study focused on the ICF/MR program's current and future role as a long term care option in West Virginia. The Olmstead Office and Council partnered with the West Virginia Developmental Disabilities Council and the Fair Shake Network to apply for grant funding offered by the West Virginia Long Term Care Partnership. The grant project was to study Intermediate Care Facilities for Persons with Mental Retardation (ICF/MR) and best practices for serving people in the community. The study focuses on the ICF/MR program's current and future role as a long term care option in West Virginia.

The project encompassed two phases. The first phase, which was completed in FY 2010, amassed a large amount of information and data through research and interviews with stakeholders. From what has been learned in the first phase, it can be said that there is a need for improved data collection and tracking by state agencies related to the people served in the ICFs/MR facilities, and there is a sense of need for independent screening before people are admitted to the facilities. Data collection and tracking for reporting, monitoring, oversight, and admissions/discharges are specific areas that need improvement. Phase two, which will occur in FY 2012 will make recommendations systemic improvement in the current system.

One achievement that will hopefully have a profound impact on the long term care system is the Money Follows the Person Rebalancing grant that West Virginia received from the Centers for Medicare and Medicaid Services in February 2011. West Virginia has resisted applying for this grant in the past, despite urging to do so from both the Olmstead Advisory Council and WVA. This program will begin in late 2011. This is the biggest step West Virginia has taken to actively reduce the reliance on institutional settings, since the last institutional closure in 1998.

E. Grievances filed under the grievance procedure

One (1) grievance was filed by a client served with PAIR funds in FY 2011. The client was unhappy that WVA had closed the Service Request. Upon review of the Service Request details with the client, it was agreed upon that WVA addressed all complaints that the client had requested WVA to handle. Given that the client had a new complaint, a new Service Request was opened to address it. The grievance was resolved.

F. Coordination with the Client Assistance Program (CAP) and the State long-term care program, if these programs are not part of the P&A agency

The CAP program in West Virginia is designated to WVA, the State Protection and Advocacy System. All WVA Advocates can be assigned CAP and PAIR cases, as well as other programs. Advocates and supervisors often discuss and strategize on case and systemic issues.

WVA receives referrals from and sends referrals to the Long Term Care Ombudsman program.

Certification

Signed
Signed?

Yes

Signed By

Jodi Calissie

Title

Data Report Specialist

Signed Date

12/15/2011

System Information

System information

The following information is captured by the MIS.

This form has been approved for use by OMB through Jun 30, 2014.

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15-Dec-11

Last updated by:

pawvcalissiej

Completed on:

15-Dec-11

Completed by:

pawvcalissiej

Approved on:

Approved by:

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