

ANNUAL CLIENT ASSISTANCE PROGRAM (CAP) REPORT**Fiscal Year**

DESIGNATED AGENCY IDENTIFICATION	
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OPERATING AGENCY (IF DIFERENT FROM DESIGNATED AGENCY)	
Name:	
Address:	
E-mail Address (if applicable):	
Website Address (if applicable):	
Phone: ()	TTY: ()
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Name of CAP Director/Coordinator: Colleen Miller, Esq.	
Person to contact regarding report: Sherry Confer, LCSW	
Contact Person's phone: (804) 225-2042	
PART I. AGENCY WORKLOAD DATA	
A. Information and Referral Services (I&R): (Multiple responses are not permitted.)	
1. Information regarding the Rehabilitation Act	1084
2. Information regarding Title I of the ADA	834
3. Other information provided	1219
4. Total I&R services provided (Lines A1+A2+A3)	3137
5. Individuals attending trainings by CAP staff (approximate)	1070
B. Individuals served (An individual is counted only once during a fiscal year. Multiple counts are not permitted for Lines B1-B3.)	
1. Individuals who are still being served as of October 1 (carryover from prior year)	29
2. Additional individuals who were served during the year	54
3. Total individuals served (Lines B1+B2)	83
4. Individuals (from Line B3) who had multiple case files opened/closed this year. (In unusual situations, an individual may have more than one case file opened/closed during a fiscal year. This number is not added to the total in Line B3 above.)	0

PART I. AGENCY WORKLOAD DATA (continued)	
C. Individual still being served as of September 30 (Carryover to next year) (This total may not exceed Line I.B3.)	20
D. Reasons for closing individuals' case files (Choose one primary reason for closing each case file. There may be more case files than the total number of individuals served to account for those unusual situations, referred to in Line I.B4, when an individual had multiple case files closed during the year.)	
1. All issues resolved in individual's favor	48
2. Some issues resolved in individual's favor (when there are multiple issues)	0
3. CAP determines VR agency position/decision was appropriate for the individual	1
4. Individual's case lacks legal merit; (inappropriate for CAP intervention)	3
5. Individual chose alternative representation	0
6. Individual decided not to pursue resolution	6
7. Appeals were unsuccessful	0
8. CAP services not needed due to individual's death, relocation, etc.	0
9. Individual refused to cooperate with CAP	3
10. CAP unable to take case due to lack of resources	0
11. Other (Please explain on separate sheet)	2
E. Results achieved for individuals (Choose one primary outcome for each closed case file. As stated in Section D, there may be more case files than the total number of individuals served.)	
1. Controlling law/policy explained to individual	45
2. Application for services completed	1
3. Eligibility determination expedited	0
4. Individual participated in evaluation	0
5. IPE developed/implemented	4
6. Communication re-established between individual and other party	9
7. Individual assigned to new counselor/office	3
8. Alternative resources identified for individual	0
9. ADA/504/EEO/OCR complaint made	1
10. Other (Please explain on separate sheet)	0
PART II. PROGRAM DATA	
A. Age (As of the beginning of the fiscal year.) (Multiple responses not permitted.)	
1. 21 and under	10
2. 22 – 40	24
3. 41 – 64	47
4. 65 and over	2
5. Total (Sum of Lines A1 through A4. Total must equal Line I. B3.)	83
B. Gender (Multiple responses not permitted.)	
1. Females	38
2. Males	45
3. Total (Lines B1+B2. Total must equal Line I.B3.)	83
PART II. Program Data (continued)	

C. Race/ethnicity (Multiple responses are permitted.)	
1. American Indian or Alaskan Native	0
2. Asian	1
3. Native Hawaiian or Other Pacific Islander	0
4. Black or African American	28
5. Hispanic or Latino	1
6. White	51
7. Race/ethnicity unknown	0
8. Other	2
D. Primary disabling condition of individuals served (Multiple responses not permitted.)	
1. Blindness (both eyes)	6
2. Other visual impairments	5
3. Deafness	7
4. Hard of hearing	5
5. Deaf-blind	0
6. Orthopedic impairments	16
7. Absence of extremities	1
8. Mental illness	15
9. Substance abuse (alcohol or drugs)	1
10. Mental retardation	1
11. Specific learning disabilities (SLD)	8
12. Neurological disorders	4
13. Respiratory disorders	0
14. Heart and other circulatory conditions	1
15. Digestive disorders	0
16. Genitourinary conditions	1
17. Speech impairments	0
18. AIDS/HIV positive	1
19. Traumatic brain injury (TBI)	2
20. All other disabilities	9
21. Disabilities not known	0
22. Total (Sum of Lines D1 through D21. Total must equal Line I. B3.)	83
E. Types of individuals served (Multiple responses permitted.)	
1. Applicants of VR Program	13
2. Clients of VR Program	42
3. Applicants or clients of IL Program	
4. Applicants or clients of other programs and projects funded under the Act	2
5. *Employees	26
F. Source of individual's concern (Multiple responses permitted.)	
1. VR agency only	48
2. Other Rehabilitation Act sources only	7
3. Both VR agency and other Rehabilitation Act sources	0
4. Employer	27

5. Other – Benefits Planner	1
PART II. PROGRAM DATA (continued)	
G. Problem areas (Multiple responses permitted.)	
1. Individual requests information	0
2. Communication problems between individual and counselor	16
3. Conflict about services to be provided	25
4. Related to application/eligibility process	11
5. Related to IPE development/implementation	8
6. Other Rehabilitation Act-related problems	0
7. Non-Rehabilitation Act related	1
8. Related to Title I of the ADA26	26
H. Types of CAP services provided (Choose one primary service CAP provided for each closed case file. As stated above, there may be more case files than actual individuals served.)	
1. Information/referral	4
2. Advisory/interpretational	40
3. Negotiation	16
4. Administrative/informal review	3
5. Alternative dispute resolution	0
6. Formal appeal/fair hearing	0
7. Legal remedy	0
8. Transportation	0
PART III. NARRATIVE (Attach separate sheet(s).) Refer to pages 16-19 of the instructions for guidelines on the contents of the narrative.	

Reports are to be submitted to RSA within 90 days after the end of the fiscal year covered by this report. Please be reminded that you can enter data directly into RSA's Management Information System (MIS) via the Internet. Information on transmittal of the form, including electronic transmission, is found on pages 19 and 20 of the reporting instructions.

Signature and title of designated agency official

Date

Paperwork Burden Statement: According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless such collection displays a valid OMB control number. The valid OMB control number for this information collection is 1820-0528. The time required to complete this information collection is estimated to average 16 hours per response, including the time to review instructions, search existing data resources, gather the data needed, and complete and review the information collection. If you have any comments concerning the accuracy of the time estimate or suggestions for improving this form, please write to: U.S. Department of Education, Washington, DC 20202-2703. If you have comments or concerns regarding the status of your individual submission of this form, write directly to: OSERS/RSA, U.S. Department of Education, 400 Maryland Avenue S.W, Washington, DC 20202-2800.

VIRGINIA OFFICE FOR PROTECTION AND ADVOCACY

CLIENT ASSISTANCE PROGRAM (CAP) 2007

PART III. NARRATIVE

a. Type of agency used to administer CAP:

- 1) External-Protection & Advocacy

b. Sources of funds

Source of funding	Amount Received	Amount Spent
Federal funds	253,620.00	120,527.23
State funds	0	
Program Income	0	
Private	0	
All other funds (carryover)		142,412.29
Total from all sources		262,939.52

c. Budget for current and following fiscal years

Category	Current Fiscal Year (FFY2005)*	Next Fiscal Year
Wages & Salaries	152,862.90	170,931.00
Fringe Benefits (FICA, unemployment, etc.)	60,893.38	66,847.00
Materials/Supplies	1,733.92	2,141.00
Postage	1,149.08	1,242.00
Telephone	4,765.31	5,373.00
Rent		
Travel	15,658.91	16,189.00
Copying	1,822.94	1,985.00
Equipment Rental/Purchase	1,592.18	1,774.00
Temporary Personnel Services	1,362.36	1,352.00
Indirect Costs	16,648.07	35,613.00
Miscellaneous	4,450.47	4,044.00
Total Budget	262,939.52	307,491.00

* Pursuant to direction of the Governing Board, VOPA develops budgets and operates on a State fiscal year (July 1 to June 30).

d. Number of person-years

Type of position	Full-time equivalent	% of year position filled	Person-years
Professional			
Full-time	28	74%	20.75
Part-time	0		
Vacant	0	0	
Clerical			
Full-time	8	88%	7.92
Part-time	0		
Vacant	0		

NOTE: All figures are based on a State fiscal year (July 1, 2006-June 30, 2007)

e. Summary of presentations made:

The following rights related presentations about CAP and other rehabilitation programs and projects were made during the program year:

Date	Type of Event/Title/Topic	Group Addressed	Location	Number of Attendees
10/11/2006 11/8/2006 2/14/2007 3/16/2007	Office Hours	People with Disabilities	Roanoke	16
10/21/2006	VOPA Exhibit	Virginia Rehabilitation Council for the Blind and Vision Impaired (VRCBVI) People with Disabilities	Richmond	80
11/1/2006	Employment Protections of Title I the ADA	Roanoke Community Event	Roanoke	5
11/2/2006	Employment Protections of Title I the ADA	High School Student Career Day	Winchester	140
11/3/2006 1/5/2007	Office Hours	Peninsula Center for Independent Living	Hampton	3

		(PENCIL) People with Disabilities		
11/14/2006 3/27/2007	Office Hours	Danville CIL People with Disabilities	Danville	11
11/15/2006 11/16/2006 12/6/2006 12/7/2006 1/18/2007 2/8/2007 3/21/2007 3/22/2007 5/2/2007 5/3/2007	Employment Protections of Title I the ADA	Woodrow Wilson Rehabilitation Center (WWRC) People with Disabilities	Fisherville	414
12/27/2006	Office Hours	People with Disabilities	Richmond	2
12/28/2006	Office Hours	People with Disabilities	Bristol	2
2/14/2007	Office Hours	Junction Center for Independent Living People with Disabilities	Norton	13
2/15/2007	Office Hours	Clinch Independent Living Services People with Disabilities	Grundy	8
2/15/2007	Office Hours	Appalachian Independence Center People with Disabilities	Abingdon	7
2/20/2007	Employment Protections of Title I the ADA	Department of Rehabilitation Services Job Club	Portsmouth	30
2/28/2007	Employment Protections of Title I the ADA	Fredericksburg DRS	Fredericksburg	12
3/2/2007	VOPA focus areas and ADA training	Danville CIL People with Disabilities	Danville	5
3/8/2007	Employment Protections of Title I the ADA	Winchester DRS People with Disabilities	Winchester	15
3/12/2007	Employment Protections of Title I the ADA	Virginia Transition Forum	Norfolk	60

3/12/2007	Outreach Activity	CIL staff	Hampton	15
3/20/2007	Employment Protections of Title I the ADA	Petersburg DRS People with Disabilities	Petersburg	12
3/27/2007 4/24/2007	Outreach Activity	People with Disabilities and staff at Eggleston Services (disability related service provider)	Norfolk	30
3/28/2007	Training Prep Meeting	Fredericksburg DRS & CIL staff	Fredericksburg	3
4/4/2007	VOPA & Employment Protections of Title I the ADA	Fredericksburg DRS Job Club	Fredericksburg	12
4/5/2007	VOPA & Employment Protections of Title I the ADA	Chesterfield County DRS Staff and Consumers	Chesterfield County	8
4/19/2007	VOPA & Employment Protections of Title I the ADA	Harrisonburg DRS Job Club	Harrisonburg	10
4/23/2007	VOPA Overview & Employment Protections of Title I the ADA	Manassas DRS Staff	Manassas	14
4/26/2007	VOPA's Goals and Objectives	Independence Resource Center	Charlottesville	8
6/14/2007	Employment Protections of Title I the ADA	Richmond Center for Independent Living (CIL) People with Disabilities	Richmond	15
7/17/2007	Self Advocacy (regarding employment) Presentation	Clarendon Clubhouse	Arlington	18
7/24/2007	"Voices in the Mix" presentation and Office Hours	People with Disabilities Eggleston Services	Norfolk	23

7/26/2007	Employment Protections of Title I the ADA	Rotary Club of Warrenton People with Disabilities	Warrenton	60
8/30/2007	Self Advocacy (regarding employment) Presentation	Against All Odds Clubhouse	Radford	16

f. Involvement with advisory boards

1. VOPA has two Advisory Councils known as the Disabilities Advisory Council (DAC) and The Protection and Advocacy for Individuals with Mental Illnesses (PAIMI) Advisory Council. The Councils' primary responsibility is to advise the protection and advocacy system on policies and priorities to be carried out in protecting individuals with disabilities. This function helps VOPA to identify underserved and unserved Virginians.

VOPA continues to recruit applicants for the Advisory Councils that reflect the cultural and geographical diversity of Virginia. Membership on the Councils has decreased as terms have expired. VOPA is strategizing with the current memberships, staff and Board for more creative recruitment strategies. One Advisory Council has been moving the location of their meeting around the State with the intention of being closer to potential applicants. This way new potential members may attend a meeting more easily to determine their level of interest as well as move the application process along in a more speedy manner.

2. VOPA has been able to establish a sound working relationship with the Brain Injury Association of Virginia. Jointly, curriculum for Advocacy Academies was developed and presented for people with traumatic brain injuries. These eight (8) academies took place across the State reaching over 125 people. Evaluations revealed that 85% of participants said the training at least met their expectations and 86% of participants indicated the training session prepared them to advocate for themselves. This collaborative relationship has continued into FY08.
3. VOPA participates in the Virginia Rehabilitation Council for the Department for the Blind & Vision Impaired (VRCBVI). The Rehabilitation Act of 1973, as amended, requires the establishment of a Statewide Rehabilitation Council to be appointed by the Governor. The amendments identify specific organizations to be represented on the Council, and also specify that a minimum of four individuals represent business, industry and labor on the Council as well as current or former applicants for or recipients of vocational rehabilitation (VR) services. The Rehabilitation Council advises the VR program in development of the State plan and completion of the federally required needs assessment. The Council also assists with customer satisfaction surveys, training and/or employment opportunities, and completion of the required Annual Report on the

status of VR services in the State. Issues of particular interest to VOPA before the Council in the past fiscal year included Transportation and Transition Services.

g. Outreach to unserved/underserved populations:

1. VOPA provides information about the CAP program on our website.
2. VOPA provides "Office Hours" at some of the local Centers for Independent Living. Individuals with disabilities are informed of their CAP rights and provided with other legal advice and services when appropriate.

VOPA began the "Office Hours" program in 2002 with the purpose being to provide outreach and education for people with disabilities, as well as to build collaborative relationships with consumers and staff from the agencies who participate in the program. VOPA staff visit 11 Centers for Independent Living (CILs), a state rehab provider, and a private provider.

In March of 2006, VOPA's Executive Director, formed a committee of VOPA staff to review the "Office Hours" program. The committee members contacted all of the current Office hour "host" locations. Representatives of fourteen (14) organizations were interviewed; nearly all face-to-face at the host locations across the state. The committee developed a written report that included the committee's observations and recommendations about the Office Hours program. VOPA management and key staff reviewed and considered the recommendations and have begun implementing some of the recommendations and will continue to implement the remainder in FY08.

VOPA works with CILs across the State to address issues and recommendations that resulted from the Office Hours program review VOPA conducted last year. VOPA is currently in the process of identifying remaining issues and recommendations in order to plan for the new fiscal year.

VOPA has created a non-engagement letter for use with the Office Hours program to ensure that people addressed at Office Hours understand that VOPA is not opening a case for them, and does not represent them.

VOPA sent CAP brochures to four Centers for Independent Living and all Department of Rehabilitative Services offices.

VOPA conducted a training on alternatives to guardianship at the Norfolk CIL with approximately 25 participants

3. Spanish Speaking Outreach :
VOPA contracted with a local private non-profit entity to provide on-going translation of VOPA publications into Spanish. The VOPA brochure and another brochure have been translated. VOPA learned that it was unrealistic to plan on translating all of our publications in a single year. However a good working relationship has been established with the non-profit entity.

A public service announcement was distributed to a Spanish speaking radio station. VOPA also placed employment recruitment advertisements in Spanish language newspapers.

h. Alternative dispute resolutions:

VOPA staff routinely engage in alternative dispute resolutions. VOPA staff assist clients with self-advocacy efforts with other entities at the lowest level of the administrative chain of command. Often, the presence of the VOPA staff encourages the “provider” to more willingly explore alternative dispute resolutions prior to the client and VOPA resorting to more formal or legal remedies. In most cases, more clear and direct communication is the optimum resolution. In all CAP cases, we engage in ADR to the maximum extent possible. VOPA always conducts significant negotiation prior to even considering litigation. We have offered formal ADR in some cases that seemed to reach a “sticking point” but never had to follow through with it as the cases generally settled. VOPA remains willing to engage in ADR whenever necessary to assist our clients.

In relation to Mediation---VOPA, as advocates/attorneys, would not conduct Mediation, but, when appropriate, would accompany and/or represent a person as an advocate within a Mediation session where there is a separate Mediator. VOPA was not involved in any formal mediation activities this past year. Cases have been settled before that stage.

i. Systemic advocacy:

VOPA spoke to approximately 300 people regarding their employment rights at over a dozen speaking engagements at community locations throughout Virginia, and providing them with VOPA brochures and the employment rights handout.

In addition, by focusing on access to DRS clients, VOPA did presentations for the staff at DRS offices in Portsmouth, Manassas, Fredericksburg, Winchester, Petersburg, Chesterfield, and Harrisonburg. VOPA addressed DRS job clubs and orientations, speaking to well over 300 DRS staff members and clients regarding their employment rights under the ADA and providing them with VOPA brochures and the employment rights handout.

VOPA also presented an employment rights training at the Virginia Transition Forum, speaking to approximately 40 individuals and providing VOPA brochures and employment rights handouts to approximately 400 individuals at our booth.

VOPA provided technical assistance services to approximately 25 individuals regarding employment rights, and represented three individuals who were the victims of employment discrimination. One individual was awarded \$10,000 and 15 months of insurance coverage, valued at approximately \$6000, and another individual was restored to her position with appropriate accommodations in place. A third case is currently before the EEOC.

VOPA coordinated with the private bar and found attorneys willing to assist two employment discrimination clients.

VOPA also contacted the historically black colleges and universities in Virginia to offer presentations on employment rights, and provided presentation materials and facts sheets to these schools.

VOPA's investigation as to whether or not the Virginia Council on Human Rights unlawfully refuses to investigate cases for individuals with disabilities is ongoing. Since our initial contact to that office to discuss this matter we have received no complaints regarding disparate treatment.

j. Interesting cases:

VOPA served 83 individuals under the CAP program in FY07. VOPA represented 51 people who have disputes with the Department of Rehabilitative Services over the provision of vocational rehabilitation services. In each case, VOPA advocated for the provision of appropriate services and the creation and implementation of appropriate Individualized Plans for Employment.

When this 38 year old woman with mental illness and severe muscular/skeletal impairments first came to VOPA, she had a VR counselor who was not able to respond to her need to upgrade her clerical and business management skills. At first, she was denied assistance although a vocational evaluation made it clear that she had the potential to pursue business training in the private school of her choice. The community college did not have classes to meet her specific needs.

After VOPA intervened by meeting with the VR supervisor, and regional director, the client was able to achieve the following: she obtained assistance with her dental needs, (as problems in that area were affecting her health), which ultimately would have affected her ability to go to school on a regular basis. As a result of VOPA advocacy, she was able to obtain transportation to her doctor and dentist as well as assistance with transportation in getting to her classes at the National Business College of Danville. After persistent and strong advocacy on VOPA's part, she was finally assigned a new VR counselor who helped her to put together a package related to her schooling needs. This new counselor was very creative and client and she have been able to enjoy a positive working relationship.

Additionally, VR agreed to provide an assistive technology evaluation and driving assessment at WWRC. She needed vehicle accommodations due to her physical problems and decrease in peripheral vision. She also needed to have a computer at home which the VOPA advocate convinced DRS to purchase. She needed to use a computer at home due to her physical problems and the distance from her home. It was virtually impossible for her to stay late or return after hours to use the computers at the business college.

Client successfully completed her training and has been working with DRS toward finding employment to match her newly updated skills.

A 54 year old woman, whose disability is mental illness, had a long history off and on with DRS. She had difficulty communicating with her VR counselor and enlisting his help in job seeking. VOPA advocate intervened and convinced the DRS to give her a chance to work with another DRS office as well as a new VR counselor. Through meeting with her and the VR manager, she and the counselor became aware that she really needed more of a work adjustment training type of service. She also needed inclusion into a job seeking skills training class prior to her pursuing regular employment. She was grateful for the VOPA intervention and was well on her way to forming a positive working relationship with her new VR counselor.

SW is a female with a disability of Mental Illness. She had at one time attended Cosmetology school through WWRC but she was unable to complete the program because she had health problems and she did not like being away from home. VOPA helped her to restore communication between her and her DRS Counselor and DRS agreed to assist her in completing her training for Cosmetology at a school in her home area. She was very pleased with VOPA's assistance because all she has ever wanted was to do to be a Cosmetologist.

SB has mobility impairments and MI. She wanted DRS to assist her in looking for a new job. DRS did not want to do this because she was doing fine at her current job and had just received a pay increase. VOPA met with her and her Counselor about a possible new job. The counselor talked to her about extending her work hours. Another option is that DRS would pay for her Paratransit tickets for awhile until she got caught up on some of her bills. She did not want this particular intervention. The client subsequently decided that she would stay at her current job because it is a good job and the people like her and she likes them.

DP is a male who is deaf. He needed help reestablishing communication with a DRS Counselor. VOPA attended a meeting with him and DRS staff members. His problem was that the "Job Coach" hired by DRS was not appropriately communicating the client's needs and interest. The DRS Counselor came up with a plan to hire a new "Job Coach" to allow the client to be a part of the hiring process. The client was very pleased by the result.

We also provided technical assistance to 20 clients by reviewing the specific facts of their case and explaining the relevant ADA Title I information, and the process to file appropriate complaints.

k. On-line information/outreach:

VOPA maintains a website that posts all of our federal grants' priorities, goals, and objectives, including CAP. This website also has the notices for the Board of Directors' and VOPA's Advisory Councils meetings. Job vacancies, announcements, VOPA publications, quarterly newsletters, legislative updates, and disability-related links are also available.

In FY 2007 there were 24,239 VOPA website hits.

As noted above, VOPA posted its legislative updates on-line. During the 2007 General Assembly session, VOPA tracked 62 bills.

VOPA uses the VOPA Web-site to recruit volunteers to serve on our two Advisory Councils. Meetings of the Advisory Councils and the Governing Board of Directors are posted on the web-site. Meeting announcements are also posted on disability related list-serves. Minutes from the Governing Board and Advisory Councils Meetings are also posted on the Web-site.

Annually, VOPA gathers input from the public as it develops its goals and objectives for the fiscal year. A web-based survey was posted on the VOPA website during the summer of 2007 and was announced to the public via several listservs. VOPA received 270 responses.

Signature and title of CAP program director: The director of the CAP agency should sign the form to certify that it is complete and correct.

Colleen Miller, Executive Director

Date