

# ANNUAL 2023 REPORT

Protection and Advocacy for People with Disabilities.



Visit us online for more information at  
[disabilityrightsnebraska.org](https://disabilityrightsnebraska.org)





# FISCAL YEAR 2023

## Disability Rights Nebraska experienced many changes this year.

### › NEW OFFICE LOCATION

After many years located in downtown Lincoln, Disability Rights Nebraska moved to a new location at 2930 Ridge Line Road, Suite 205, Lincoln, Nebraska 68516. We also have a new phone number 402.413.2016. The new location offers a number of benefits for visitors, board members, council members and staff: plenty of free parking; accessible entry, elevator, front door, parking and restrooms; and access to a beautiful walk/bike/roll trail directly behind the building.

### › NEW FIVE-YEAR STRATEGIC PLAN

A planning workgroup composed of staff, board members and mental illness advisory council members reached out to organizations, stakeholders, advocates and collaborators to gather input on how Disability Rights Nebraska should focus their work for the next five years. The workgroup also reviewed strategic plans from other disability organizations to ensure we were not conducting duplicate work. A retreat to finalize the strategic plan resulted in a five-year strategic plan, images of the future and new vision and mission statements.

### › FEDERAL REVIEW OF PROTECTION AND ADVOCACY FOR INDIVIDUALS WITH MENTAL ILLNESS (PAIMI) GRANT

The Substance Abuse and Mental Health Services Administration (SAMHSA) is a federal agency that grants Disability Rights Nebraska funds to offer a program to investigate abuse, neglect and rights violations; provide legal-based advocacy services; and to protect and advocate for the rights of individuals with mental illness. Disability Rights Nebraska was due for a federal review (last review was 10 years ago). This was a great opportunity to review and change our policies and procedures to ensure compliance, confirm our fiscal soundness and to provide SAMHSA input about their requirements. Even though this required hours of work on the part of staff, it was a good learning experience and we are pleased we are in compliance with our grant requirements.



As we embark on our journey into the future and reveal our new strategic plan, Disability Rights Nebraska is honored to present our focus areas for the fiscal years 2024 through 2028. This strategic blueprint represents a steadfast dedication to advancing the crucial work of disability rights advocacy, ensuring equitable opportunities, and fostering inclusive communities for all.

➤ **FOCUS AREA: FREEDOM FROM HARM**

Image of the Future: People with disabilities have legal and human rights that protect their health, safety, personal integrity, and self-determination. Disability Rights Nebraska will protect and advocate for vulnerable people with disabilities, beginning with those living in congregated, isolated, and segregated settings to ensure their rights are not violated and they are free from abuse, neglect, exploitation, and untimely death.

➤ **FOCUS AREA: MOST INCLUSIVE SETTINGS**

Image of the Future: We recognize disability as a natural part of the human experience. People must be able to live the lives that they choose, and their lives must be free from abuse, discrimination, exploitation, harm, isolation, and neglect. Disability Rights Nebraska envisions a society where all people have the supports, they need in order to experience self-determination by making their own real and meaningful choices - a society where all people are free to pursue opportunities in order to live culturally valued lives in fully integrated communities that are free from barriers, exploitation, and stigma.

➤ **FOCUS AREA: ENGAGING PEOPLE WITH DISABILITIES IN ADVOCACY**

Image of the Future: People who experience disabilities are the experts when it comes to their own lives. Disability Rights Nebraska advocates for all people with disabilities having access to services, skills, and supports needed to pursue their hopes, dreams, and things not yet imagined.



# COMMUNITY ENGAGEMENT

The purpose of the Community Engagement Program is to build support and increase community awareness of disability rights. One way we do this is by strengthening community relationships and educating community partners and individuals through personal contact. The building of trust and relationships happens over time and the benefits may not be immediately visible, but this year the relationships we have cultivated played a big part in helping Disability Rights Nebraska refine its focus for the next five years via the strategic planning process.

In September 2022, a Strategic Planning Team was formed consisting of four staff members, two Board members, and two members of our mental illness Advisory Council. The group's mission was to gather and analyze data and draft a proposed 2024-2028 Strategic Plan. The team worked with a local consultant who helped them organize an outline for the process, identify data sources and stakeholders, and organize the resulting information into an inspiring and effective new plan.

The Team conducted a total of 35 interviews and 17 online surveys including personal interviews with Board, staff, and Advisory Council members. When deciding whom to interview, we focused on including people of color, people with lived experience of disability, and people from diverse geographic areas in the state. Our regular outreach efforts yielded strong contacts among those populations who were willing to participate in the interview process.

The interviews and surveys used a series of Appreciative Inquiry-derived questions. Appreciative Inquiry asks people to think about their existing strengths, achievements and successes, what parts of their work they are proud of, that motivate them, and that are getting good results. It uses that as a foundation to build a vision of the future and create ways to reach that future. It does not ignore past failures, but helps people to collectively get into a more positive and therefore more creative frame of mind to come up with ideas for improvement. The team also reviewed plans from 12 organizations that we have collaborated with or who might be impacted by our work. All of this information was used to create a forward-looking vision and plan that will guide the work and culture of Disability Rights Nebraska for the next five years and have a positive impact on Nebraska's disability community. The communications and interviews that were part of this process also serve to strengthen the initial relationships, bringing the whole process of engagement full-circle. The new 2024-2028 Strategic Plan is available for viewing on our website.



## LEGAL ADVOCACY

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The Legal Advocacy Team at Disability Rights Nebraska helped a variety of people with disabilities exercise their rights during the past year. Here are two examples: In one case, a staff attorney represented an individual with an intellectual disability after an airline denied him entry onto his flight. Prior to this flight, the individual flew alone more than 30 times without incident. Before this flight, a gate agent asked him a series of questions. One question pertained to the individual's ability to book a hotel on his own. He answered "no" to this question and the gate agent would not let him board the flight. A staff attorney at Disability Rights Nebraska wrote a letter on his behalf to the airline outlining the airline's violations of federal law and the family filed a complaint with the Department of Transportation. As a result, the Department of Transportation found the airport violated multiple provisions of the Air Carriers Access Act.

In another case, legal advocacy staff assisted an individual in gaining appropriate work accommodations. Our client was an individual with autism who worked for a grocery store since 2015 without major incident. In 2023, the store moved him to a maintenance position despite preferring his previous positions in the dairy and produce department. Additionally, the individual applied for other positions but was told he would not be considered. Finally, he requested a reasonable accommodation that the store provide him with a written list of tasks and expectations at the beginning of each work shift. His manager never responded to that request. A staff attorney at Disability Rights Nebraska wrote a letter on the individual's behalf to the store manager and the corporate headquarters. The staff attorney then engaged in discussions with an HR director with the store's corporate headquarters. As a result, the individual received all his requested accommodations, Disability Rights Nebraska was assured that he would be considered for other open positions, and the individual gained back shifts in the produce and dairy departments. These are just two examples of how Disability Rights Nebraska went to bat for Nebraskans whose rights were being denied.



# PUBLIC POLICY

Disability Rights Nebraska's public policy work resulted in concrete gains this year. We testified in support of Legislative Bill 278, which would combine the forces of state agencies to obtain federal or state grants to build "safe, affordable, and accessible housing for individuals with disabilities." We pointed out that accessible housing for people with disabilities is very limited and accessibility is necessary: affordability means nothing if people cannot get into the house. Language from LB 278 was expanded and amended into another bill which passed the legislature and was signed into law.

We also presented to other groups about accessibility and housing. This effort at raising awareness paid off, too. For example, our presentations sparked a conversation with a housing developer about the meaning of "accessibility" and broadened her understanding: "accessible" is not just how far the house is from public transportation, but also how does the structure accommodate a person's disability?

Additionally, Disability Rights Nebraska opposed Legislative Bill 811. The bill would permit any school personnel to use physical intervention to manage student behaviors that they think could cause injury. Physical intervention is more often used on students with disabilities than students without disabilities and for a variety of reasons beyond student safety. Studies also show that students and staff can be seriously injured by using physical intervention.

The bill lacked adequate safeguards for students, teachers, and staff; did not adequately train or hold accountable all the personnel who would use physical intervention; and conflicted with current school policies on using restraints and for managing student behaviors. The bill was not advanced, but there was language inserted into another bill that would require the state to develop a model policy on managing classroom and student behavior. This amendment mirrors discussions we have had with senators about the lack of uniform state standards for current school policies on restraint and physical intervention. LB 705 was passed and signed into law.



# VALUES-BASED PROGRAM HIGHLIGHTS

**Citizen Advocacy Program:** Disability Rights Nebraska's role in Citizen Advocacy is to provide consultation on program development, train board members and staff, manage operational contracts, and evaluate Citizen Advocacy Offices in Nebraska.

## **The Values-Based Program Director:**

- Attended 39 local Citizen Advocacy Board meetings and provided orientation related to Citizen Advocacy Principles and Practices at 33 meetings.
- Provided individual Coordinator support over 17 workdays, contacted Coordinators weekly, held quarterly Coordinator meetings, and completed quarterly Coordinator workplan updates.
- Reflected with Coordinators who attended Image Method Training and Social Role Valorization.
- Negotiated FY 23-24 contracts with all five citizen advocacy programs.
- Managed quarterly requests for funds which were approved and dispersed to Citizen Advocacy offices.
- Conducted relationship reviews for four Citizen Advocacy offices.

Two offices hired new Coordinators. The Grand Island Citizen Advocacy Office External Evaluation took place May 14-19, 2023.

## **Annual Citizen Advocacy Retreat:**

Over 60 participants attended the 2022 Citizen Advocacy Retreat held on November 18 & 19, 2022. Eleven Citizen Advocacy offices representing the United States, Canada and Australia were present.

## **Values-Based Education:**

The Nebraska Values-Based Education Coalition hosted The Challenges of Social Inclusion, a virtual workshop led by Darcy Elks.

**Inclusive Education Lay Advocacy:** There were several trainings held this fiscal year. There are now 30 trained Lay Advocates. The 8th training cohort began in September 2023 with five registrants. Lay Advocates access training videos, scenarios, and other materials on OneDrive, to independently refresh and strengthen their knowledge and skills as needed.

Disability Rights Nebraska refers families and students with education-related concerns to the Inclusive Education Lay Advocacy Project Coordinator. During this period, 38 families were referred to the Inclusive Education Lay Advocacy Program and 24 were matched with trained Lay Advocates.

# SERVICE REQUEST NUMBERS

## US Department of Health and Human Services

**PADD** Protection and Advocacy for Persons with Developmental Disabilities

**PAIMI** Protection and Advocacy for Individuals with Mental Illness

**PAAT** Protection and Advocacy for Assistive Technology

**PAVA** Protection and Advocacy for Voting Access

**PATBI** Protection and Advocacy for Individuals with Traumatic Brain Injury

## US Department of Education

**PAIR** Protection and Advocacy for Individual Rights

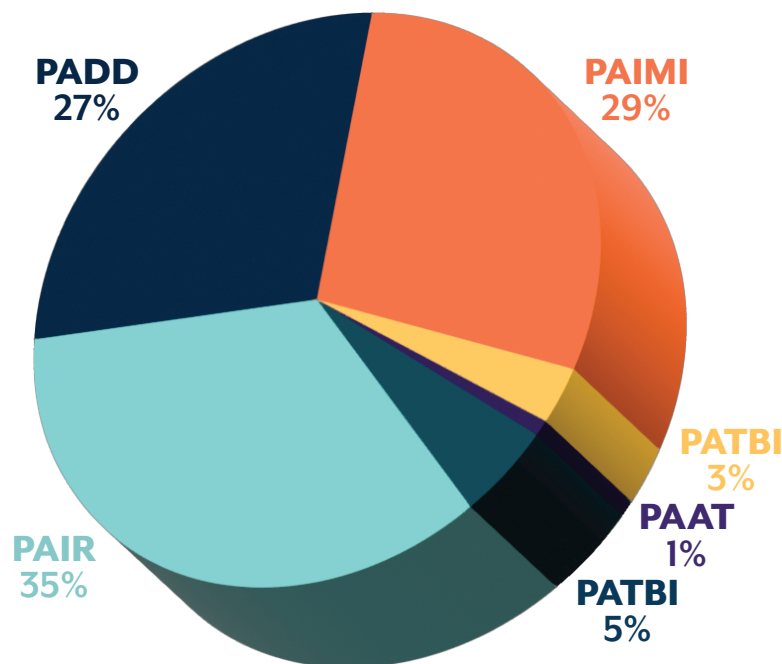
## Social Security Administration

**PABSS** Protection and Advocacy for Beneficiaries of Social Security

**PABRP** Representative Payees of Social Security

## Nebraska Department of Health and Human Services

**HHS** Department of Health and Human Services



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<b>SERVICE REQUESTS BY PROBLEM AREA</b>	<b>TOTAL</b>
Abuse & Neglect	94
Access to Administrative/Judicial Processes	1
Access to Records	1
Advance Directives	1
Architectural Accessibility	9
Assistive Technology	9
Custody / Parental Rights	4
Education	73
Employment	32
Financial Entitlement	7
Government Benefits / Services	70
Guardianship / Conservatorship	7
Healthcare	17
Housing	63
Immigration	1
Insurance	4
Juvenile Justice	1
Non-Government Services	35
Post-Secondary Education (PABSS)	17
Privacy Rights	2
Program Access	4
Public Accommodation	1
Quality Assurance	4
Rights Violations	182
Services	66
Transportation	2
Voting	4
<b>TOTAL</b>	<b>711</b>

# FINANCIAL REPORT

FY October 1, 2022 > September 30, 2023

## SUPPORT AND REVENUE

US Dept of Health & Human Services .....	\$1,183,568
US Dept of Education .....	\$170,995
US Social Security Administration .....	\$258,519
NE Dept of Health & Human Services .....	\$555,692
Developmental Disabilities Council .....	\$10,462
Donations, Interest & Other Income .....	\$21,513
<b>Total Revenue.....</b>	<b>\$2,200,749</b>

## EXPENSES

Salaries & Benefits .....	\$1,186,814
Operating Expenses.....	\$158,782
Travel Expenses.....	\$17,082
Educational Expenses.....	\$45,228
Contractual Services .....	\$112,651
Citizen Advocacy Support .....	\$385,816
<b>Total Program Services Expenses.....</b>	<b>\$1,906,373</b>

Fundraising.....	\$20,015
Management & Administration.....	\$303,459
<b>Total Support Services Expenses .....</b>	<b>\$323,474</b>

Total Support and Revenue .....	\$2,200,749
Less Total Expenses.....	\$2,229,847
Change in Net Assets.....	(\$29,098)

Net Assets, beginning of year .....	\$97,940
Net Assets, end of year.....	\$31,249

# OUR MISSION

Disability Rights Nebraska uses a combination of strategies to promote, protect, and advocate for the legal and human rights of all people with disabilities. We support people with disabilities to help ensure they gain the benefits of full inclusion in their home, community, education, and/or employment. Our support begins with people with disabilities who are the most vulnerable and who live in congregated, isolated, and/or segregated settings.

# OUR VISION

Disability Rights Nebraska envisions a world where human rights are protected, differences are celebrated and all people have value, visibility, and voice.

## SOCIAL MEDIA FOLLOWERS

 <b>Facebook</b> ..... <b>2,355</b>	 <b>YouTube</b> ..... <b>40</b>
 <b>Twitter</b> ..... <b>652</b>	 <b>Instagram</b> ..... <b>210</b>

Press releases issued: **13**

Articles about the Protection and Advocacy System or its work in external mass media such as newspapers, radio, podcasts, blogs, or television: **16**

Social media followers: **3,257**

Absolute unique visitors to blogs/web pages where information about the Protection and Advocacy System is mentioned: **18,310**

Circulation of the Protection and Advocacy System's newsletter and/or listserv updates: **1,037**

Articles by the Protection and Advocacy System about disability rights issues published in newspapers, books, journals, or magazines: **5**

Links to other disability rights related information sources published on the Protection and Advocacy System website: **120**

Times a Protection and Advocacy System representative exhibited at conferences, community fairs, etc.: **17**

Presentations made to community groups: **36**



# BOARD OF DIRECTORS

<b>Name:</b>	<b>Position:</b>	<b>City:</b>
Candi Koenig	Chairperson	Kearney
John Lakey	Vice Chairperson	Kearney
Joni Thomas	Treasurer	Lincoln
Lisa Casullo	Secretary	Waverly
Josh Burke		Lincoln
Aimée Folker		Omaha
Jaszmin deFreitas		Elkhorn
Seamus Kelly		Omaha
Paulissa Kipp		Omaha
Claude Louishomme		Kearney

## OUR STAFF

Tania Diaz	Chief Executive Officer
Judy Sinner	Fiscal and Human Resources Director
Dianne DeLair	Legal Services Director
Michael J. Elsen	Staff Attorney
Amy A. Miller	Staff Attorney
Madison Wurtele	Staff Attorney
Tracy Adrian	Values-Based Program Director
Patricia Cottingham	Inclusive Education Lay Advocacy Coordinator
Bradley A. Meurrens	Public Policy Director
Molly Klocksins	Case Advocate
Mindy Baird	Community Outreach Disability Advocate
Yorlenny Diaz-Sullivan	Intake Specialist
Karen Masterson	Case Advocate
Nikki Broce	Representative Payee Reviewer
Patricia Nichelson	Legal Assistant
Sharon Ohmberger	Community Engagement Director
Jillian Ward	Business Operations and IT Coordinator
Adalia Henderson	Administrative Secretary
Christina Joseph	Program and Administrative Assistant
Maddie Faber	Law Clerk
Danielle Thompson	Law Clerk

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GIVE  
NEBRASKA

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