Overview of Achievements, 2020-2021

DRNY closed 2,228 individual cases with 2,360 people benefiting from our services. DRNY also closed 16 impact cases which benefited 155,930 people. The primary population DRNY serves is people with disabilities residing in New York State or receiving services funded by New York State. As a result of our advocacy people with disabilities recouped, saved, or received $715,471.27 in direct dollar benefit and $10,617.50 in dollar savings. This figure includes the cost of direct services, assistive and medical devices, and cash awards. The COVID-19 Pandemic exposed once again that during a crisis people with disabilities are often the greatest impacted but the least considered in any response to the emergency. DRNY saw the impact immediately and began addressing this disparity on several fronts.

Population Served: Persons with disabilities

Area Served: New York City Metropolitan Area

Total Funding: $7,864,908

Total IOLA Grant: $100,000

Staffing - Full Time Equivalents:
- Total Staff: 60.00
- Lawyers: 27.00
- Paralegals: 20.00
- Other Staff: 13.00
DRNY negotiated significant settlements for twin brothers with autism and intellectual disabili- ties against the NYC Department of Education (NYCDOE). Our clients were formerly placed at an out of state residential school, but were unilaterally removed in the summer of 2019 by their mother due to safety concerns. Although the parent promptly notified the NYCDOE and met with school administrators, the NYCDOE failed to provide any special education, placement, instruction or related services for the entirety of the 2019-2020 school year. Further, NYCDOE failed to provide a Spanish interpreter at CSE meetings and failed to translate key special education documents. DRNY attorneys and staff worked closely with the parent to obtain records to build a strong case against the NYCDOE, beginning with thorough and persuasive amended complaints. In response, the NYCDOE agreed to settle, awarding each of our clients approximately 1500 hours of educational and related services and funding for comprehensive evaluations which amounted to over $500,000 in services.
Other Services...

### Number of People Benefitted by Services Other Than Direct Legal Representation

<table>
<thead>
<tr>
<th>Services Other Than Direct Legal Representation</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Community Legal Education</td>
<td>3,510 people</td>
</tr>
<tr>
<td>Pro Se Assistance</td>
<td>528 people</td>
</tr>
<tr>
<td>Online Assistance</td>
<td>3298 people</td>
</tr>
</tbody>
</table>

**Overview**

DRNY ensures that individuals with disabilities and the people who serve them are aware of the availability of federal, state, and local services through the use of remote monitoring and through training. DRNY provides information about the rights of individuals including: employment services, voting access, community integration in and outside institutions, health care choice, and self-determination. During this reporting period, DRNY hosted virtual roundtable events, legal clinics, and regularly provides rights trainings to individuals with disabilities, families, and providers throughout New York.

**Examples of Other Services**

**Know Your Rights Trainings:** DRNY provides a Know Your Rights training to residents and families in most settings we monitor. This year DRNY delivered 82 trainings to 3410 individuals with disabilities across New York State. For example, Since the COVID pandemic, DRNY has conducted over 40 voting-related outreach Know Your Rights events, trainings, and roundtables. In 2020, we trained, directly assisted, and provided technical assistance to more than 500 New York voters. We shifted our focus from in-person voter engagements to virtual community outreach and advocacy, helping more people in 2020 than in any previous year. With the need for voter assistance in high demand, we continue to provide virtual trainings and outreach to New York voters, and provide direct advocacy services to voters with disabilities.

**Special Education Advocacy:** DRNY has worked on a number of issues to bring assistance, awareness and self-advocacy surrounding accessing special education and a student’s rights during the COVID outbreak. DRNY has worked on a number of tools to provide students, parents and advocates information in this area. DRNY released two publicly available fact sheets: COVID-19 Accessing Special Education and Early Intervention (EI); During COVID-19: What Families Need to Know. The COVID-19 Accessing Special Education fact sheet was also translated to both Spanish and Chinese. In addition to these fact sheets, DRNY developed a guide on requesting compensatory education due to the COVID-19 school closures. This is also a guide that is available to the public. DRNY also drafted advocacy letters to the New York State Education Department (NYSED) regarding remote learning, school reopening policies, and compensatory education. Correspondence to NYSED included our unique insight into the struggles of students with disabilities as the P&A and recommendations surrounding these issues. Our advocacy also enabled DRNY to be included in a task force to help guide NYSED with their plan to safely reopen schools.

**Employment Training:** DRNY participated in multiple podcasts to discuss the employment gap between workers with and without disabilities, employment discrimination, how to report it, and the resources available to assist individuals in making a complaint.

**Unemployment Insurance Benefits/Stimulus Payments:** As soon as the Coronavirus Aid, Relief, and Economic Security Act, also known as the CARES Act was presented, DRNY analyzed how it would affect people with disabilities. DRNY identified that there would be many question regarding pandemic unemployment assistance (PUA) and the impact of stimulus payments and whether it would affect one’s status as a social security beneficiary. As a result, DRNY developed concise fact sheets in plain language, recorded podcasts and Facebook live events, and hosted this information on our website. DRNY also circulated the fact sheet and an accompanying media content to many agencies providing employment services to the New York State disability community.

Disability Advocates, Inc.-3
Collaborations With Other Service Providers

In order for DRNY to facilitate lasting systemic change in areas that adversely impact on people with disabilities, DRNY must successfully promote its mission and its unique role as New York State’s P&A. DRNY connects and collaborates with community partners and leaders who promote the rights of people with disabilities. This role became even more important after the onset of the Pandemic.

Unified Court System Advisory Committee on Access for People with Disabilities: DRNY continues to work with court staff and other key stakeholders to improve access to State Courts.

Albany County Access to Justice Committee: DRNY continues to participate in Albany County’s Access to Justice Committee which includes legal service providers, community groups, county officials, public libraries and the court. DRNY chairs the committee on resource development focusing on engaging the community in evaluating court access to justice efforts.

Supported Decision Making: DRNY collaborates with the Developmental Disabilities Planning Council (DDPC) and the City University of New York Hunter College, in a five-year pilot program to develop Surrogate Decision Making (SDM) as a lesser restrictive alternative to guardianship.

Community of Practice: DRNY collaborates with three University Centers for Excellence in Developmental Disabilities, and DDPC to target underserved Spanish and Chinese speaking individuals with intellectual and developmental disabilities and their families.

Native American Partnerships: DRNY carefully cultivated relationships to build trust and a better understanding of the services we provide. DRNY is now known and welcomed among all the Tribal Nations in the State. DRNY collaborated on a Native American Legal Clinic.

NYS Bar Association Task Force: This reporting period a DRNY staff was appointed to the NYSBA’s new Task Force on Racial Injustice and Police Reform.

Voter Access: DRNY collaborated with community groups to host remote voter information sessions and roundtable events.


Technology and Other Innovations

During this reporting period DRNY transitioned from a cisco Webex meeting platform to Zoom. The Zoom application provides additional accessibility features to accommodate our staff and provides us a more stable video/audio connection. DRNY also made several purchases to accommodate our staff working from home. Individual assessments of work spaces was conducted and DRNY purchased, office furniture (desks and chairs), equipment (monitors and laptops), and other items to address the work from home environment (air conditioners, heaters, internet boosters). DRNY’s strong investment in technological infrastructure was critical to our ability to quickly transition to a fully remote operation and allowed us to continue to serve our clients during the Pandemic. DRNY continues to supply the equipment and technology necessary to allow all staff to work remotely. We have adapted and expanded procedures and systems to improve our use of technology and our communication capabilities. This includes developing resources and training to ensure that staff are capable of using these technological platforms and supplying new equipment to address the need of a remote working staff.
Major Cases or Other Advocacy Projects

M.G. v. Cuomo: This putative class action lawsuit was brought on behalf of a class of New Yorkers with serious mental illness that were held in prison beyond their lawful release dates, due to a lack of community-based mental health housing programs. Our clients had either fully completed their sentences, or reached their approved parole dates or conditional release dates. MILESTONE: The District Court rejected the Defendant’s attempt to dismiss the case. The Judge spend several hours reading from the bench creating a 65 page transcript. Shortly after filing our complaint, the Defendant’s adopted a new policy of releasing people without access to mental health supports. We moved to amend our complaint to add this new class of people. The United States Department of Justice filed a Statement of Interest urging the Court to allow our new claims to move forward and to reject the State’s attempt to dismiss our case.

Rossman v. Dollar General: DRNY brought a lawsuit on behalf of an individual who uses a wheelchair and was repeatedly unable to navigate through her local Dollar General store. The lawsuit asserts that Dollar General does not make its retail locations accessible to people who use mobility devices. MILESTONE: The Court rejected Dollar General’s attempt to dismiss the lawsuit. DRNY, Dollar General and a law firm suing Dollar General in other states are engaged in mediation and the parties agreed to a nationwide class settlement. IMPACT: Dollar General stores across the United States will be ADA compliant.

Excessive Use of Restraints In Schools: DRNY investigated complaints of excessive and inappropriate use of restraints and time-out rooms, at a large school campus serving nearly 1000 students with disabilities. The campus is one of 37 cooperative educational programs comprised of multiple different school districts who pool their resources to provide educational opportunities to students that individual districts are unable to provide. DRNY uncovered substantial evidence of illegal overuse of restraints and time out rooms. One student was physically restrained 102 times in a single school year. Another missed over 7,000 minutes of instruction during a six-month period for behavior-related removals. MILESTONE: DRNY conducted monitoring at the campus and met with the school’s administration to discuss the need for a policy to eliminate excessive and unnecessary emergency interventions. The school agreed to implement a new policy, and DRNY continues to work with them on improving it. IMPACT: Nearly 1000 children attending these educational programs will no longer be subjected excessive restraints.
Pro Bono Volunteer Involvement

DRNY actively recruits law students and other volunteers. DRNY again participated in the New York University Public Interest Legal Career Fair to establish a presence among other civil rights organizations recruiting for talent. DRNY works with several law schools to recruit law students. DRNY had 8 law students in our internship program. DRNY also actively seeks host opportunities for law students funded by other grantors. DRNY was awarded a Diversity clerkship sponsored by Monroe County Bar Association for the summer of 2019. DRNY was awarded another Diversity clerkship for the summer of 2020. The New York Bar Foundation awarded DRNY a general counsel legal fellow for the summer of 2020. DRNY also hosts volunteer students. This reporting period we had 2 volunteers assisting our advocacy department and 5 assisting our Marketing and Communication Department. DRNY’s Marketing and Communication Department creates outreach materials, manages our resources online, and provides resources to the people we serve through our social media platforms.

Pro Bono Statistics

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<thead>
<tr>
<th>Category</th>
<th>Volunteers</th>
<th>Hours</th>
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<tbody>
<tr>
<td>Attorneys</td>
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<td>481.72 Hours</td>
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<tr>
<td>Law Students</td>
<td>13</td>
<td>3,964.15 Hours</td>
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<tr>
<td>Other Volunteers</td>
<td>7</td>
<td>483.25 Hours</td>
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Sources Of Funding

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<tr>
<th>Source</th>
<th>Amount</th>
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<tbody>
<tr>
<td>IOLA Grant</td>
<td>$100,000</td>
</tr>
<tr>
<td>Fundraising</td>
<td>$11,075</td>
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<tr>
<td>Foundations</td>
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<tr>
<td>Other</td>
<td>$7,605,333</td>
</tr>
<tr>
<td>Total</td>
<td>$7,864,908</td>
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