

# Kentucky Protection & Advocacy

Presented by

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# History

- The Protection and Advocacy concept was initially triggered by a series of local television news broadcasts, which Geraldo Rivera did for the ABC News affiliate in New York City. Rivera's investigative reporting exposed abuse, neglect, and lack of programming at Willowbrook, a state institution for people with intellectual disabilities on Staten Island.
- [History of P&A](#)
- [Willowbrook You-Tube Video](#)

# Kentucky P&A

- Currently (6/20/22), KY P&A is an 18-employee state agency, housed within the Department of Public Advocacy. Our main office is in Frankfort.
- We are a law practice that has both attorneys and non-attorney advocates. All non-attorney advocates are supervised by an attorney.
- Like most of you, we serve the entire Commonwealth of Kentucky.
- We serve individuals of all ages and disabilities who reside within the community or in institutions.

# Our Mission

To protect and promote the rights of Kentuckians with disabilities through legally-based, individual, and systemic advocacy and education.

# Values

- Kentuckians with disabilities have a right to self-determination including, but not limited to, the right to refuse, the right to participate, and the right to choose.
- Kentuckians with disabilities have the same inherent rights as Kentuckians without disabilities.
- Kentuckians with disabilities will live and receive services in integrated and inclusive settings.
- Kentucky Protection and Advocacy values and accepts differences and diversity.

# KY P&A Service Provision

- Anyone with a disability-related question may contact P&A.
- The person with a disability doesn't have to be drawing disability benefits or a U.S. citizen
- All services are free, regardless of income.

# KY P&A is Client Directed

Even with minors, the child is the client

Example at an ARC Meeting:

Parent: “I want Johnny to use his FM system every day.”

Johnny: “I don’t want to wear an FM system.”

Advocacy effort go toward getting what Johnny – not his parents – want.

# KY P&A's Call Response Process

1. An information & referral (I&R) request is made to P&A (phone call, email, etc.)
2. Request is assigned to an advocate or an attorney
3. The assigned P&A staffer responds to referral source within 3 business days.
4. Depending on particulars of the situation, call would either stay as an I&R or become a case



# Case Acceptance

- Based on our priorities – developed yearly with public input.
- If the situation can happen to anyone (with or without a disability), then it IS NOT considered to be disability-related.

KY P&A for Transition-Age Youth

# Abuse Hurts at Any Age!

The Department for Community Based Services (DCBS) are the front-line investigators.

KY P&A can do abuse/neglect investigations that involve disability-service providers and facilities.

# Secondary and Postsecondary Education

- Development and implementation of IEPs and 504 plans, including transition planning
- Receiving accommodations

# Education Resources on Our [Website](#)

- Recent publications for parent information & resources
- Council for Exceptional Children
- Center for Law & Education
- Council of Parent Attorney & Advocates
- Education Professional Standards Board
- The IRIS Center
- Kentucky Education Rights
- KY Special Parent Involvement Network (KY SPIN)
- KY Special Education Regulations
- Office of Education Accountability
- Parent Pals
- Wrightslaw

# KY P&A Created Publications

- Behavior Intervention at School, FBA & BIP
- 504 for College/Vocational School
- Tips on Writing an IEP
- Partners in Advocacy: A Guide to Special Education Planning
- 504 Plans for Public Schools
- Devices that can Help Student with Special Needs in School
- Response to Intervention (RtI)
- Restraint & Seclusion booklet and one-pager
- How to Negotiate in ARC Meetings
- Understanding Psychoeducational Evaluations

# Employment

- Employment rights.
- Concerns about possible discrimination.
- Requesting reasonable accommodations.
- Working while receiving benefits.

# Housing

- Accommodations under the Americans with Disabilities Act (ADA)
- Accommodations under the Fair Housing Act (FHA)



# Voting

- Registration.
- Rights.
- Addressing barriers to the voting process.

# Outside of KY P&A's Practice Area

- Non-disability related civil rights cases.
- Divorce or child custody.
- Trusts and probate matters.
- Obtaining certain benefits: Supplemental Security Income (SSI), Social Security Disability Insurance (SSDI), Veterans Affairs (VA) benefits, Worker's Compensation
- Criminal cases (although we can provide technical assistance to your defense attorney on disability-related questions).

Questions/Comments/Concerns?

# How to Contact KY P&A

Telephone: 502-564-2967

Toll-free: 1-800-372-2988

Fax: 502-695-6764

[Website](#)