

2018 Program Performance Report Highlights

First edition

Virginia Board for People with Disabilities

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MISSION

To create a Commonwealth that advances opportunities for independence, personal decision-making, and full participation in community life for individuals with developmental and other disabilities.

VISION

Virginians with developmental and other disabilities direct their own lives and choose how they live, learn, work, and play.

The Virginia Board for People with Disabilities serves as Virginia's Developmental Disabilities (DD) Council under the federal DD Assistance and Bill of Rights Act of 2000 and the Virginians with Disabilities Act. Since 1992, the Board has been an executive branch state agency located within the Secretariat of Health and Human Resources.

The Board advises the Governor, the Secretary of Health and Human Resources, federal and state legislators, and other constituent groups on issues related to people with DD and other disabilities in Virginia.

The Board's purpose is to facilitate full inclusion of individuals with DD and other disabilities into all facets of community life. The Board engages in advocacy and capacity-building activities focused on improving the system of services and supports that enable people with disabilities to exercise self-determination and maximum independence.

The Board's major activities include educating policymakers and influencing policy/practice; assessing and reporting on the disability services system; investing in new or promising approaches to community-based services and supports; conducting advocacy and leadership training; and educating communities through information dissemination and outreach.

The Governor appoints 31 of the Board's 39 members, while the remaining eight members are designees from state agencies and other organizations. Sixty percent of the Board's 39 members are people with DD or family members of people with DD.

The Board meets quarterly in Richmond, Virginia. The Board encourages public comment on its planning activities and at Board meetings, and encourages individuals to contact the Board regarding needs, information, or concerns about disability- and policy-related issues.

The Board's three main areas of operation are:

GRANTS



POLICY



TRAINING





Improving Transportation Planning to Increase Access to Community-Based Healthcare



The Board completed funding a \$60,000 grant (\$20,000 leveraged) to the disAbility Law Center of Virginia for a project titled *Improving Transportation Planning in Cities and Counties to Increase Access to Community-Based Healthcare*.

The project began May 1, 2017, and ended September 30, 2018. It aimed to improve the ability of individuals with developmental and other disabilities to utilize public transportation to reach community-based healthcare. Richmond, Roanoke, and Loudon County have at least partially addressed transportation barriers identified through the project. As part of the project, the grantee also produced a variety of training resources for advocates interested in identifying and advocating for the removal of transportation barriers.

These resources can be found at http://www.dlcv.org/transportation-access.

Increasing Access to Disability Resources in non-English Languages



Providing Opportunities, Information, Networking and Transition Support

The Board completed funding a grant with The Arc of Northern Virginia for a total of \$124,782, with \$41,600 leveraged, for its projected titled *Increasing Access to Disability Resources in non-English Languages*.

They updated and translated six previously-developed guides designed to assist people with disabilities in education, housing, employment, and other topics into five other languages. This will increase access to critical information on services and supports for non-English speakers.

The translated guides can be found at http://thearcofnova.org/programs/transition/#guides.

Early Intervention Collaborative



The Board completed a project with the Virgina Hospital Research and Education

Foundation (VHREF). The grant was for \$125,000, with \$41,670 leveraged, in order to improve referrals of children who spent time in neonatal intensive care units (NICUs) to early intervention services. VHREF developed several resources, including best practice protocols for hospitals on when and how to make referrals, an Encyclopedia of Measures for collecting data, and a skill-building handout which helps providers coach parents as they prepare to take their children home.

These resources can be found at http://www.vhha.com/quality-patient-safety/virginia-nicu-early-intervention-collaborative/.

Training for Virginia Law Enforcement & First Responders



The Board was among several state agencies that collaborated on a joint project, administered by the Virginia Department of Criminal Justice Services (DCJS), to develop and

implement Virginia-specific disability awareness training for law enforcement. Niagara University developed the curriculum and delivered both general training and train-the-trainer sessions that provided an overview of various disabilities and appropriate first responder and law enforcement techniques for working with those members of the community. In 2019, the grantee will deliver a series of one-day trainings specific to particular disabilities. This curriculum will be incorporated into the DCJS Academy.

Project CHAT

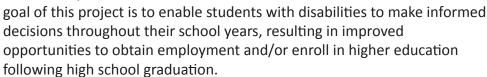
The Board began funding a \$199,999 grant, with \$66,906 dollars leveraged, to the Partnership for People with Disabilities at Virginia Commonwealth University.

Their project, titled **Communication & Health Advocacy Training,** and known as "Project CHAT," is designed to train people with developmental disabilities on how to effectively communicate their health needs to healthcare providers and direct support professionals. The trainers include people with developmental disabilities.

This year, the grantee developed the training curriculum. Key concepts addressed include identifying one's health priorities, identifying one's communication preferences, how to speak up for oneself, and the importance of doing so. Next year, the curriculum will be finalized, trainers will be trained, and the training program will be piloted. Companion guides for direct support professionals and healthcare providers will also be developed.

Critical Decision Making for Students

The Board continued funding a 2016 grant to the Virginia Department of Education for \$150,000, with \$50,000 leveraged, for the Department to develop a training curriculum on critical decision-making points for students, families, school and parent resource staff. The ultimate





Improving Health & Wellness through Empowerment



The Board began funding a \$182,59 grant, with \$61,500 leveraged, to James Madison University (JMU) for their project titled

Improving Health and Wellness through Empowerment. The project aims to train wellness program staff in the state's Shenandoah Valley region on how to improve the accessibility of their programs to people with disabilities. JMU formed a coalition of individuals with disabilities, family members, and professionals to increase opportunities for all individuals to participate in community-based physical activity and wellness opportunities and conducted a community survey of wellness organizations. The grantee also began developing web-based training modules which will address topics like program planning and implementation, behavior management, communications, and safety.



POST-GRANT REPORTING

LEAP

In 2014, the Board awarded Virginia Commonwealth University's Partnership for People with Disabilities a \$178,125 grant for its project called **Leadership for Empowerment and Abuse Prevention**, also known as LEAP. This project taught people with developmental disabilities about healthy relationships and how to better protect themselves from sexual assault, abuse, neglect, and violence. Fifty-nine people were trained in abuse prevention during the last year of the post-grant monitoring, which ended on September 30, 2018.

Project Able

The Board's initial grant of \$171,049 to the Virginia
Association of Centers for Independent Living for **Project Able**in 2014 was extended to 2017 and funded for an additional
\$150,000. This program extension built on the "Accessibility
Reference Manual for Virginia Building Professionals"
produced for the original grant by providing an interactive,
immersive, computer-based learning environment that included
video, audio, graphic, and game engine-based technologies
designed to acquaint building professionals with selected 2010
Americans with Disabilities Act Guidelines. The learning environment was
intended to provide "real life" relevance for Virginia's building
professionals and to provide continuing education opportunities for those
professionals. In all, 166 building professionals were trained on accessible
development by the program.



EVENT SUPPORT

Virginia Oral Health Coalition

The Board provided \$1,500 to support an annual summit held by the Virginia Oral Health Coalition in November 2017. The summit provided a forum for oral health and health care stakeholders to receive education, hear updates on state policy initiatives, and foster connections with new partners. The summit included discussion of strategies to expand dental coverage in Medicaid and the importance of trauma-informed care, among other topics. One-hundred and ninety-two and attended the event, and those who took a post-event survey reported an 87 percent satisfaction rate.

VAULT Board Member Retreat

The Board funded \$1,740 for the Virginia Advocates United Leading Together (VAULT) board member strategic planning retreat. VAULT is a cross-disability organization run by and for people with disabilities. During the retreat, the VAULT Board discussed the existing organizational mission and vision as well as overarching goals for the organization. The VAULT Board members updated the vision statement to incorporate a component to train people with disabilities to better advocate for themselves.

Down Syndrome Association of Greater Richmond

The Board was a co-sponsor of and participated in the planning for the Down Syndrome Association of Greater Richmond education conference in February, 2018. The focus of the conference was on inclusive education and transition. One-hundred and thirty-six family members and 264 educational professionals attended the conference. Sixty percent of people with disabilities or their family members who responded to a post-event survey reported having increased their advocacy work because of the event.





The Board submitted numerous recommendations regarding the 2018 and 2019 Commonwealth Coordinated Care Plus contract between the Commonwealth and Medicaid managed care organizations. Fourteen of the over 50 recommendations made regarding the 2018 contract were either fully or partially implemented, including recommendations intended to improve providers directories and limit the ability to determine that a member is unable to self-direct services. The Department of Medical Assistance Services is currently considering another 35 recommendations the Board submitted regarding the 2019 contract.

POLICY POSITIONS

Advocacy for a better Commonwealth

The Board provided written comments on a **draft report by the Autism Behavioral Health Consortium** on serving individuals with Autism Spectrum Disorder and co-occurring behavioral health conditions. The comment recommended that the report should call for a review of regulations governing the use of telehealth by behavioral health providers to ensure the regulations do not create unnecessary barriers. It also recommended the development of procedures that assure a discharge plan is in place prior to an individual being placed in a "specialized inpatient bed," a back-up plan for transitioning the individual to a less acute setting, and collaborative agreements with relevant entities to provide oversight and assistance.

The Board also provided written comments on the Institute for Public Health Innovation's **Accountable Health Communities Plan**, which identified the process for screening and connecting Accountable Health Community members to navigators. The edits were primarily intended to ensure communications accessibility, the provision of any needed accommodations, and navigator training on the unique barriers that people with disabilities may face in accessing services. Several of the recommendations were implemented by staff at the Institute for Public Health Innovation.





The Board presented at the **Population Health Forum** to 137 state and local Virginia Department of Health employees on addressing health disparities between people with and without disabilities.

After the presentation, the Deputy Director for one local health district informed Board staff that, as a result of the presentation, she would submit a budget request for an additional accessible exam table and would work to place the accessible exam tables in rooms with wider doorways. The presentation also led to two requests for follow-up presentations, one at the Community Health Forum to 56 community health workers and the other at a transportation forum hosted by the Hanover County Health Department.

The Board provided several recommendations on **provider licensing regulations** and on draft emergency amendments to the licensing regulations. The recommendations included:

- develop separate regulations for behavioral health vs. developmental services;
- incorporate language consistent with the federal home- and community-based settings rule;
- expand the types of incidents that providers are required to report;
- require providers to verify completion of corrective actions;
- fully prohibit the use of aversive stimuli; and
- limit restrictive or intrusive interventions to instances when the behavior poses imminent threat of physical harm to the individual or others.

The initial recommendations are still under consideration, however they were not adopted in the final emergency regulations.

The Board provided several recommendations regarding regulations for **children's residential facilities**. The Board's recommendations were intended to improve the effectiveness of quality assurance and compliance oversight. The regulations are not yet final.

POLICY POSITIONS

Advocacy for a better Commonwealth



The Board submitted public comments in January 2018, on the Department of Education's Comprehensive Review of the Standards of Accreditation. The comment included recommendations to include reporting group disparities as a component of each of the school quality indicators and to include exclusionary discipline rates and report group disparities in exclusionary discipline rates as school quality indicators. Review is ongoing and significant changes to how schools are accredited are being considered by the Board of Education in FFY 2019.

The Board also signed on to a Coalition letter in July 2018, from the Legal Aid Justice Center to members of the House Select Committee on Improving School Safety, a legislative committee established following the Parkland school shooting in Florida. Recommendations included: (1) increase school support staff; (2) improve school policing accountability; (3) invest in positive school discipline and school climate; and (4) broaden accessibility of supports and services. These recommendations were still under consideration as of the end of FFY 2018.

The Board also submitted various recommendations to improve the Commonwealth's regulations on admissions to, and temporary leave from, state institutions. Some of these recommendations were adopted, including recommendations to provide additional guidance or criteria for determining who is "capable" of caring for the individual granted temporary leave; to replace the term "mental retardation" with "intellectual disability;" and to use consistent terminology to refer to legal guardians.

POLICY POSITIONS

Advocacy for a better Commonwealth

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Advocacy for a better Commonwealth

The Board offered 33 recommendations to improve a **protective orders booklet**, which helps guide people with disabilities through the process of obtaining a protective order. The recommendations were intended to provide more comprehensive information, clarify some information, improve readability, and ensure the use of people-first language. The recommendations are still under consideration.

The Board submitted formal comments about recommendations to combine Long-Term Employment Support Services (LTESS) and Extended Employment Services (EES) into a single program and spoke during public comment to the Department of Aging and Rehabilitative Services (DARS) workgroup about its concerns with putting into place processes that will perpetuate a system of employment based on sheltered work. The workgroup discussed the Board's written comments during its deliberations, and ultimately, the Board's recommendation that the workgroup refrain from any recommendations outside the scope of whether to combine the two funding streams into one was successful.

Workforce Innovation and Opportunity Act Combined State Plan for employment services. Key recommendations in the Board's comment included 1) expand on the analysis of employment data related to people with disabilities by incorporating data from the Department of Behavioral Health and Developmental Services' semiannual employment reports, and 2) use data from the Department of Behavioral Health and Developmental Services' semiannual employment reports to inform planned goals, strategies and performance measures as they relate to people with disabilities. These recommendations have not been implemented at this point, but the Board plans to continue working with the Virginia Employment Commission to advocate for these changes.

The Board educated legislators on its policy positions and recommendations by meeting with legislators throughout the 2018 General Assembly session and providing testimony on key bills that came before legislative committees.

The Board educated 56 Virginia General Assembly members on bills affecting community infrastructure and supports for people with disabilities. Successes include the following:

Supporting Integrated Settings: In its original form, a bill would have prohibited the Department of Medical Assistance Services (DMAS) from denying, revoking, or reducing Medicaid Waiver benefits for an individual based on their "informed choice of residence," which would have put Virginia law at odds with the federal home- and community-based settings rule. The Board partnered with DMAS, Department of Behavioral Health and Developmental Services, Virginia Association of Centers for Independent Living, the Arc of Virginia, and disAbility Law Center of Virginia to educate lawmakers about the rule and the potential impact of violating the settings rule. These efforts were successful, resulting in the bill being changed to require DMAS to recommend changes that give individuals flexibility to choose their place of residence.



LEGISLATIVE



Supporting Accessible Buildings: This bill would have modified the Virginians with Disabilities Act to require that a potential plaintiff provide very detailed notice to a public accommodation of an architectural barrier preventing the individual from accessing the public accommodation, and allow an opportunity to cure the violation prior to earning the right to bring an action in court. Board staff worked with the Virginia Association of Centers for Independent Living, and the disAbility Law Center of Virginia, to educate lawmakers about the negative consequences of this bill. These efforts were successful, resulting in the bill failing to be reported out of committee.

Closing Training Centers: Each year, a number of bills are put forth to keep one or more of the Commonwealth's state-operated training centers, currently slated for closure, open and running. Working in coalition with advocacy partners, the Board met with legislators and provided testimony regarding the impact these bills would have on Virginia's ability to service people with disabilities on the waiver waitlists and fulfill its obligations under the Department of Justice Settlement Agreements. While one bill was continued until 2019, the General Assembly did not waver from its commitment to close two of the three remaining training centers. There is still some strong opposition to these closures, so continued advocacy by the Board and other advocacy organizations will remain essential.

LEGISLATIVE



Board staff collaborated with advocacy partners to educate 11 legislators on housing issues, helping ensure fair and equal access to affordable housing for people with disabilities:

<u>Supporting Fair Housing:</u> One bill would have explicitly allowed housing providers to refuse to rent to individuals solely based on the tenants' use of housing vouchers to pay rent, a common practice for individuals with disabilities. Board staff met with the patron of the bill to educated him on the potential negative impact. Because of this information, the patron did not bring the bill to committee. Another bill would have prohibited source-of-income discrimination outright, but it did not pass.

The Board educated lawmakers on employment-related bills addressing subminimum wage, funding of sheltered workshops, and integrated, competitive employment. Successes included the following:

Promoting Integrated, Competitive Employment: Board staff successfully worked to amend a bill to create a state government procurement preference which would have favored sheltered workshop employers over other employers, including employers who provided integrated competitive employment options for people with disabilities. The Board successfully met with the patron of the bill to amend its language significantly, in order to create a workgroup that is to make recommendations on how to modify state procurement practices and procedures to promote integrated, competitive employment.

LEGISLATIVE

The Board educated 19 legislators on bills regarding education. Successes include the following:

Reducing Exclusionary Discipline in Educational Settings: the Board worked in coalition with advocacy partners like JustChildren, the disAbility Law Center of Virginia, the Arc of Virginia, the Virginia Poverty Law Center, and the American Civil Liberties Union to educate legislators on a bill to reduce the maximum length of suspensions from 364 calendar days to 45 school days, with some exceptions. The bill passed.

Supporting Public School Placement: The Board also addressed a bill that would have created pilot programs to allow public school divisions to utilize state funding through the Children's Services Act to support children with significant disabilities in public school settings. These funds can only be used to support private school placement. The use of Children's Services Act funds for private day schools is an area of particular concern to the General Assembly, due to rising costs each year and the mandate that the Commonwealth fund those costs, no matter how high. While the bills did not pass, the Board also participated in a legislatively-mandated workgroup designed to examine private school outcomes for students with disabilities and make recommendations to the 2019 General Assembly.



LEGISLATIVE

NEW INITIATIVES

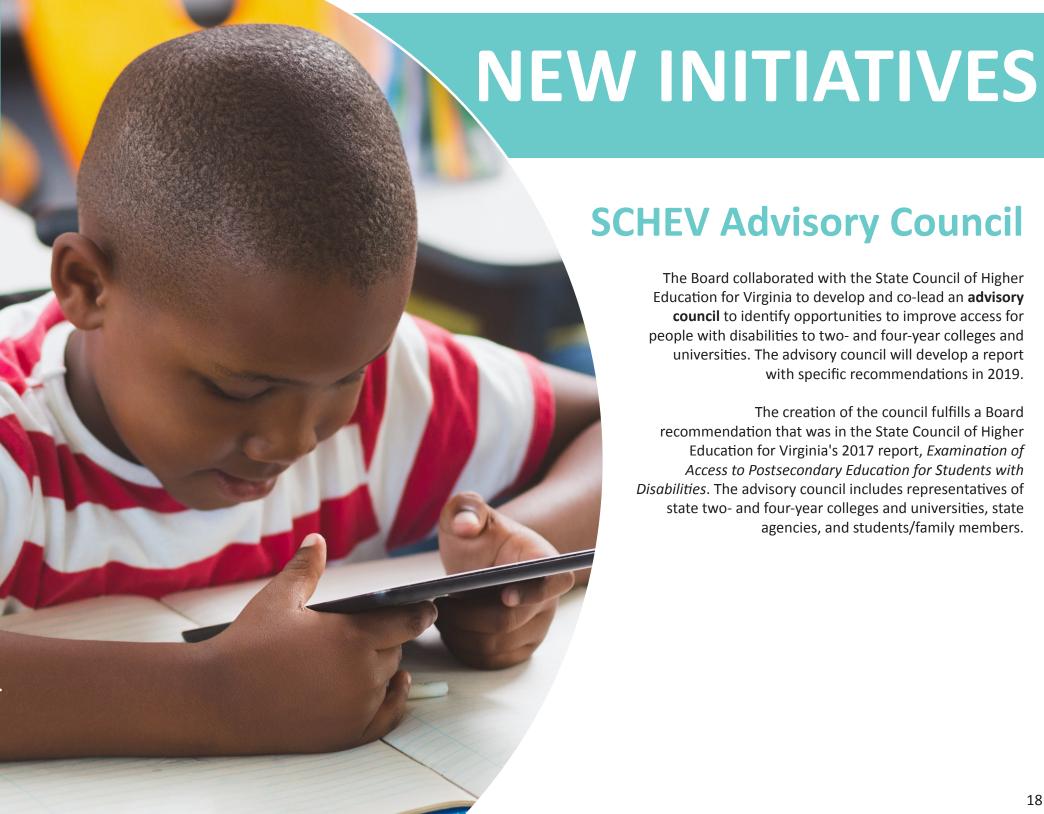
Project Living Well

The Board has begun a five-year collaboration with the state's University Center for Excellence in Developmental Disabilities, VCU's Partnership for People with Disabilities, the Protection and Advocacy organization, and other partners on **Project Living Well**. The grant is a Project of National Significance. The goal is to support people with developmental disabilities who are using home- and community-based services, as well as those waiting for services, by implementing a replicable and sustainable model of:

- Evidence-based and informed capacity building strategies that increase knowledge and skills of people with developmental disabilities, and their supporters, and generate policy change
- Community monitoring that will align and augment disparate monitoring and quality initiatives to improve the identification of health and safety risks for people with developmental disabilities.

As part of Project Living Well, the Board began developing metrics for a state report card that will allow the Commonwealth to track the performance of its disability services system. The Board hired a staff member in late Federal Fiscal Year 2018 to this end. The hope is that the report card can be used by the Board and other stakeholders to identify opportunities for improvement and advocate for policy changes that would improve the Commonwealth's performance.





SCHEV Advisory Council

The Board collaborated with the State Council of Higher Education for Virginia to develop and co-lead an advisory council to identify opportunities to improve access for people with disabilities to two- and four-year colleges and universities. The advisory council will develop a report with specific recommendations in 2019.

The creation of the council fulfills a Board recommendation that was in the State Council of Higher Education for Virginia's 2017 report, Examination of Access to Postsecondary Education for Students with Disabilities. The advisory council includes representatives of state two- and four-year colleges and universities, state agencies, and students/family members.

WORKGROUPS

The Board participated in the listed policy workgroups in 2018, helping to influence policy and services throughout the Commonwealth.

- Coalition for Improvement of School Safety
- Commonwealth Coordinated Care Plus Advisory Council
- Community Health Worker Advisory Group
- Department for Aging and Rehabilitative Services (DARS)
 Community Integration Implementation Team
- DARS No Wrong Door Resource Advisory Council
- DARS Virginia Brain Injury Council
- Department of Behavioral Health and Developmental Services (DBHDS) Advisory Consortium for Intellectual and Developmental Disabilities
- DBHDS Business Acumen Advisory Council
- DBHDS Community Engagement Advisory Group
- DBHDS Employment First Advisory Group
- DBHDS Department of Justice Settlement Agreement Stakeholder Advisory Group
- DBHDS Supports Intensity Scale Stakeholder Workgroup
- Department of Health Advisory Council for Health Disparity and Health Equity
- Department of Housing and Community Development Interagency Housing Advisory Commission
- Department of Medical Assistance Services (DMAS) Developmental Disabilities Waiver Advisory Council
- DMAS Senate Bill 310 Stakeholder Work group
- Department of Rail and Public Transportation Coordinated Human Services Mobility Planning Group

- National Association of Councils on Developmental Disabilities Public Policy Workgroup
- Project Living Well Advisory Council Leadership Team
- Richmond Complete Streets Workgroup
- State Council of Higher Education for Virginia (SCHEV) Advisory Committee on Campus Sexual Violence
- SCHEV/VBPD Advisory Council on Access to Higher Education for Students with Disabilities Workgroup
- Virginia Accessible Housing Solutions Board
- Virginia Autism Council
- Virginia Business Leadership Network
- Virginia Commonwealth University (VCU) Autism Center for Excellence Community Partners Advisory Council
- VCU Partnership for People with Disabilities Consumer Advisory Council
- VCU Partnership for People with Disabilities I-CAN! Accessibility Project Advisory Board
- Virginia Department of Education (VDOE) Advisory Council on Dispute Resolution
- VDOE Advocacy Stakeholders Group
- VDOE State Special Education Advisory Committee
- VDOE and Office of Children's Services Private School Outcomes Work Group



Disability Services System Assessment HOUSING

The Board is required to submit an annual report to the Governor, through the Secretary of Health and Human Resources, that provides an in-depth Assessment of at least two major service areas for people with disabilities in the Commonwealth.

In 2018, the first service area covered **housing** for people with disabilities in Virginia, and made three overall recommendations for improvements, listed below. Each recommendation included several sub-recommendations.

Expand access to affordable independent living options for people with developmental disabilities in Virginia

Vigorously enforce Virginia's Fair Housing laws

Adopt state and local policies and practices that encourage accessible development and hold violators of accessibility requirements accountable

To read the full Assessment, visit the Board's website at www.vaboard.org/assessment.htm



Disability Services System Assessment Transportation

The second service area assessed by the Board in 2018 covered transportation systems for people with disabilities living and working in Virginia. Four major recommendations were made, listed below, each including a number of sub-recommendations aimed at specific agencies and organizations around Virginia. Both the Transportation and Housing Assessments were distributed to a large number of stakeholders, including the Governor's office, the entire legislature, Virginia's federal representatives, and others.

Provide stable long-term funding for public transportation and special needs transportation capital investments that accounts for projected increases in demand and need for expansion of transit availability

Improve transportation coordination and planning efforts

Ensure that Transportation Network Companies and other nontraditional transportation companies offer services that are accessible to people with disabilities

Improve accessible bus stops and pedestrian infrastructure

To read the full Assessment, visit the Board's website at www.vaboard.org/assessment.htm





2018 marked the first year the Board hosted its newly-revamped **Youth Leadership Academy** (YLA). Formerly known as the *Youth Leadership Forum*, the program was redesigned to allow younger students to attend, improve marketing and recruitment, and allow more direct engagement of youth in the development of the program. As a result, not only was 2018 an incredibly successful year, it also saw the largest number of applicants representing the most diverse group of students to ever attend.

The 2018 YLA was held over four days in July at Virginia State University. Twenty-four rising high school sophomores, juniors, and seniors took part in a fast-paced and aggressive training, featuring dynamic motivational speakers who addressed a variety of topics including personal development, career development, and advocacy. There was also a "Capitol Day" event, which gave the delegates an opportunity to speak to a panel of legislators and staff in a mock legislative committee setting, further honing their public speaking and advocacy skills.







Partners in Policymaking (PIP) is the Board's adult leadership and advocacy training program, open to those with developmental disabilities and the parents of young children with developmental disabilities. Each PIP course consists of seven weekend sessions over eight months. The Partners participate in advocacy training, resource development, and skill building workshops led by state and national experts across a range of topics relevant to the disability community.

The 2017-2018 PIP session ended in April, 2018, and included 28 graduating partners. The 2018 session featured collaborative work with over 20 agencies and organizations in Virginia, with whom the partners developed and implemented projects designed to improve services or adress quality-of-life concerns for individuals with disabilities.





Alumni Development Program

The **Alumni Development Program** (ADP) was developed in 2016 to better engage graduates of the Board's training programs in advocacy through strengthened relationships with each other and the Board. The program consists of four regional Advocacy Chapters, each with its own leadership team, which operate year-round. Fifty-seven YLA and PIP alumni participated in at least one ADP chapter meeting or advocacy event in 2018.

The Board hosted two-day leadership training sessions for each chapter, giving the Chapter officers hands-on experience and newly developed training materials to enhance their efforts. The Board also debuted a new one-stop website designed to house all the literature and documents each Chapter needs to plan and undertake advocacy activities.





The regional Advocacy Chapters partnered with other disability-related organizations to participate in a total of six advocacy events in 2018:

- Faith Inclusion Network and Faith Workshop, the major objective of which was to inspire those working towards making communities and congregations a place for all to feel included;
- Down Syndrome 5k to support people with Down Syndrome through individual and family support, education, community awareness, and advocacy;
- Teal Pumpkin Party to support families whose children have food allergies or Celiac Disease;
- City council meeting regarding a capital improvement plan;
- Fine Arts and Disability Resource Fair to spread awareness about services and supports for people with disabilities; and
- Americans with Disabilities Act Pride Day event to celebrate diversity within the disability community, celebrate achievements in the disability community, and spread awareness about disability resources.

