

IOLTA GRANT FINAL REPORT June 1, 2022 to May 31, 2023

Date

July 11, 2023

Submitted by

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Grant Award

\$48,000

Purpose of the Disability Rights Center - NH

Disability Rights Center-NH (DRC-NH)'s mission is to protect, advance, and strengthen the legal rights and advocacy interests of all people with disabilities. DRC-NH is New Hampshire's designated Protection and Advocacy (P&A) agency, created to provide legal advice, information and referral, legal representation, and outreach to individuals with disabilities across New Hampshire. We also address issues via legislative and systemic advocacy and training people with disabilities, families and others on the rights of people with disabilities. We investigate abuse and neglect and conduct monitoring in institutions and facilities across the state.

With a staff of 15 attorneys, advocates and support staff, DRC-NH serves children and adults with disabilities on a variety of disability-related issues including education; public benefits; mental health; long term care; home and community-based services; discrimination in employment and housing, access to public services, buildings, and accommodations; institutional rights; and abuse, neglect, and exploitation.

Summary of Work

The 2023 IOLTA Grant supported the general operating expenses of Disability Rights Center's (DRC-NH) and targeted three major areas of DRC-NH's work.

- Legal Services for People with Mental Illness
- Legal Services for People with Developmental Disabilities

Protection and Advocacy System for New Hampshire

- Legal Services for People with Physical Disabilities

Grant Project Goal 1: Services for Individuals with Mental Illness

Adults and children with mental illness living in the community and in institutions, are struggling to access needed care. They face employment discrimination, barriers to special education services, and housing discrimination. People with mental illness seeking treatment face abuse, neglect and violations of their rights. In 2022, DRC-NH expanded its monitoring of institutions for people with mental illness, allowing us to reach those who are most vulnerable and isolated and this monitoring continued throughout 2023

In FY 2023, DRC-NH's work on behalf of people with mental illness addressed legal issues related to mental health services in the community; employment rights; access to treatment for prisoners or patients with significant mental illness; access to appropriate services in hospital emergency rooms; suspensions and expulsions from school; and access to crisis services.

Between June 1, 2022 and May 31, 2023, DRC-NH provided legal assistance in one hundred ninety three (193) cases on behalf of people with mental illness. In these cases, DRC-NH provided legal information and advice, as well as assistance and support for self-advocacy. In four (4) of these cases DRC-NH provided assistance with litigation. In addition, DRC-NH provided information and referral to sixty eight (68) people on seventy one (71) issues and conducted seven (7) investigations of abuse or neglect on behalf of people with mental illness.

Below are examples of issues and advocacy provided:

- Educated a woman with mental illness about her right to an emotional support animal and how to request an accommodation from her landlord. With this information, she was able to advocate for herself.
- Helped a woman to better understand her options after a professor refused to provide needed accommodations in a required class and she was at risk of dropping out.
- Helped a woman under guardianship better understand supported decision making as a possible alternative as she wants her guardianship to be terminated.
- Assisted a man at a psychiatric hospital to access needed medical treatment in a timely manner.
- Assisted a parent to better understand his daughter's right to an evaluation and appropriate services in school, rather than being suspended and threatened with expulsion.

Case Examples:

A woman with mental illness called DRC-NH for help to understand her rights after an incident with the national crisis help line and her local police. The DRC-NH attorney helped her to understand her rights, provided suggestions to follow up with the police. She explained that the caller could file a complaint with NH AG's office if she feels she was treated unfairly or if they used inappropriate force. She also referred her to NH Bar

Association lawyer referral for referral to an attorney that handles this type of case. Finally, the attorney explained how to complain to the hospital if she was mistreated by them. With this information, the woman was able to advocate for herself.

A woman with PTSD called DRC-NH for information about her right to an accommodation to bring her service animal to work with her after her boss made some concerning statements about how the accommodation would be provided. The DRC-NH attorney helped her to better understand her rights, the questions that her manager is allowed to ask and the information that she might provide. With this information, the caller was able to navigate through the process of requesting the accommodation she needed.

Grant Project Goal 2: Services for People with Developmental Disabilities

People with developmental disabilities, like people with all types of disabilities, want to live independently in their own homes and communities. DRC-NH's work in this area focused on access to Developmental Disabilities and In Home Supports waiver services, supported decision making and alternatives to guardianship, access to school services and legal issues for people living in institutions, including supports to transition to less restrictive placements.

Between June 1, 2022 and May 31, 2023, DRC-NH handled three hundred fifty two (352) cases and thirty nine (39) information and referrals for individuals with developmental disabilities. In these cases, DRC-NH provided legal information and advice, as well as assistance and support for self-advocacy. In four (4) of these cases DRC-NH provided assistance with litigation.

Examples of our work included:

- Assisted the parent of a young child with disabilities to advocate for intensive tutoring after the child did not receive the services outlined in their IEP.
- Educated the parent of a teen with disabilities to understand her options after the teen's school would not allow them to participate in extracurricular activities.
- Provided legal advice and representation to a young person who'd been hospitalized for a significant mental health crisis and needed to transition to a supportive community-based program to prevent another crisis.
- Provided information to a person with developmental disabilities and his guardian about how to access area agency and developmental disability waiver services.

Case Example:

The parents of a teenager with developmental disabilities called for help regarding pursuing a guardianship for their son. The DRC-NH attorney provided advice and information to the parents. With this information, the parents decide not to do that and to help their son with a supported decision making agreement that would help maintain his autonomy.

Grant Project Goal 3: Services for People with Physical Disabilities

People with physical disabilities are the largest group of people with disabilities in New Hampshire as this includes people who are aging, deaf or blind, with chronic or serious medical conditions, with quadriplegia or paraplegia or with other physical disabilities, including people who are or could be served in a nursing home. They also have the largest variety of legal needs. DRC-NH's work in this area focused on employment discrimination, accessibility, access to Medicaid funded services, 504 supports in school, and access to healthcare.

Between June 1, 2022 and May 31, 2023, DRC-NH handled two hundred fourteen (214) cases and fifty seven (57) information and referrals for individuals with physical disabilities and other disabilities not reported above. In these cases, DRC-NH provided legal information and advice, as well as assistance and support for self-advocacy.

Some activities included:

- Advised a woman who was deaf about her right to request an interpreter for her doctor's appointment.
- Advised a man with physical disabilities about his right to request an accessible parking space and how to make the request to his landlord.
- Advised a woman about her rights related to accessing services under the Choices for Independence waiver.
- Advised a woman with physical disabilities about how she could complain about accessibility challenges after her town made changes to the downtown that blocked her wheelchair.
- Advised a man about some of the options to try working without immediately losing his benefits and how to request an accommodation from his employer.

Case Examples:

- Client plays the iLottery because he cannot leave his house due to his disability. He was told by the NH Lottery that he needed a photo ID to claim his winnings, but he only has an expired license and getting another would be a significant burden. Advised client on right to request a reasonable accommodation under the ADA from the NH Lottery and support for that request. The client followed the DRC-NH attorney's advice and was granted an accommodation, allowing him to claim his winning lottery ticket.
- Client called DRC-NH for help because her outlets were not working, making it very difficult to use her necessary oxygen and bipap machines. Management company had "fixed" issue by running an extension cord from the hallway into her apartment. The DRC-NH attorney contacted management company and requested that the outlets be repaired immediately. Management company repaired the issue and client confirmed issue is resolved.

Report on Outcomes

In FY 2023, DRC-NH expected to meet the following outcomes.

- (i) provide legal advice or representation to 400 individuals with developmental, physical, or mental health disabilities in priority areas outlined above or on other critical disability related legal issues.

DRC-NH provided legal advice to 759 individuals with developmental, physical or mental health disabilities in FY 2022-2023.

- (ii) provide information and referral to 100 individuals with disabilities.

DRC-NH provided information and referral to 164 people with disabilities in priority areas. In addition, DRC-NH staff provided brief referrals to an estimated 750 people with and without disabilities in non-priority areas during their initial calls for help in FY 2022-2023.

- (iii) educate 1000 people with disabilities at virtual and in-person events across the state

In FY 2022-2023, DRC-NH staff educated 1327 people with disabilities, family members, advocates and members of the public about issues impacting people with disabilities and their rights at outreach and training events. Topics included educational services via IEPs and 504 plans, area agency services, supported decision making, mental health law, disability rights and voting rights. DRC-NH staff also created, updated and distributed a number of publications to educate people with disabilities about their rights. These were distributed broadly via mail, email and social media throughout the year and are available on DRC-NH's website, www.drcnh.org.

Statistical Summary of Cases and Related Services

Please find attached, as Appendix A, a statistical summary of cases and related services provided to clients for the grant year.

Evaluation of Program Effectiveness

DRC-NH utilizes a computer based, case management and data system to monitor our casework and projects. From June 1, 2022– May 30, 2023, 83% of DRC-NH's cases were resolved partially or completely in the individual's favor. In addition, we solicit feedback from our clients. When an intake or case is closed, clients are sent a client satisfaction survey which contains a series of questions about how well the DRC-NH handled the intake or case. On DRC-NH client surveys measuring satisfaction, 61% of those responding indicated that they were very satisfied and 13% were somewhat satisfied with DRC-NH's service. A breakdown of case outcomes and client satisfaction is included as Appendix B.

Partial List of Partners and Collaborators

DRC-NH partners with the disability community and legal community across New Hampshire to increase the impact of our work to improve the lives of people with disabilities. We collaborate on systemic litigation, other systemic advocacy, legislative initiatives and outreach and training to maximize limited resources and ensure we are reaching people with disabilities across the state. Partners include:

NH Council on Developmental Disabilities, UNH Institute on Disability, NH Public Defenders, NH Legal Assistance, Legal Advice and Referral Center, ABLE NH, National Disability Rights Network (NDRN), National Alliance for Mental Illness (NAMI-NH), Parent Information Center, Statewide Advisory Committee to the Department of Education, Governor's Commission on Disabilities, Endowment for Health, Granite State Independent Living, Community Support Network Inc, Community Mental Health Center Association, Peer Support Centers, People First of NH, Brain Injury Association of NH, NH Bar Association, NH Access to Justice Commission, NE Deaf and Hard of Hearing Services, NH Special Education Association, NH School Administrators Association, NH Psychological Association, NH School Board Association, NH Civil Liberties Union, NH Medical Society, NH Suicide Prevention Council, Client Assistance Project, Medical Care Advisory Committee, New Hampshire Behavioral Health Advisory Council, NH Charitable Foundation, NH Departments of Health and Human Services and Education, numerous NH law firms, Center for Public Representation, Judge Bazelon Center for Mental Health Law, NH Fiscal Policy Institute, State Commission on Deaf and Hearing Impaired, Developmental Services Quality Council, Self-Advocacy Leadership Team and NH State Family Support Councils.

Other Publicity

DRC-NH's publications and materials acknowledge the support of the NH Bar Foundation in a number of ways.

First, DRC-NH's website acknowledges this support of the NH Bar Foundation at <https://drcnh.org/about-us/federal-programs/funding/>. Enclosed is a screenshot of the page.

Second, the support of the NH Bar Foundation is included on the last page of each edition of the Disability RAPP. In 2022-2023, DRC-NH published 1 issue of The Disability RAPP Newsletter, electronically and in print which was distributed via mail, email and social media to approximately 23,000 people and organizations across the state, including libraries, area agencies and community mental health centers. Electronic copies of current and prior past issues of the Disability RAPP can be viewed

at <http://www.drcnh.org/rapsheet.htm> <https://drcnh.org/the-disability-rapp/> and a copy of the Winter/Spring 2023 edition is enclosed.

Additionally, an acknowledgement of the support of the NH Bar Foundation is also included in DRC-NH's main brochure (in both English and Spanish), which is enclosed.

DRC-NH issued a press release announcing the receipt of the award on July 8, 2022, which was distributed to media sources across the state. Notice of the award was published in DRC-NH's monthly e-newsletter, which is distributed to over 1000 subscribers.

Finally, DRC-NH acknowledged the award on our Facebook page and Twitter feed which reach approximately 2000 people.

Materials related to publicity are included in Appendix C.

Financial Statement

An itemized financial statement for IOLTA-only grant revenue/expenditures for the grant cycle is attached as Appendix D. DRC-NH's current financial statement is attached as Appendix E.

Conclusion

Thank you so much for supporting the work of Disability Rights Center - New Hampshire to protect and advance the rights of people with disabilities across the state. The IOLTA grant funds allow us to help the people with disabilities across the state who need our help the most. This grant is very important to our work and we appreciate it.

Services by County 06/01/2021-05/31-2022

Appendix A

	Consumer	Family	Health	Housing	Income/Employment	Individual Rights*	Civil		
Belknap	85	20	0	1	5	10	49	0	85
Carroll	30	8	0	0	2	0	20	0	30
Cheshire	52	15	0	3	2	1	31	0	52
Coos	20	5	0	2	2	1	10	0	20
Grafton	63	12	0	3	6	7	35	0	63
Hillsborough	329	179	2	5	17	32	94	0	329
Merrimack	289	102	0	7	16	22	142	0	289
Rockingham	179	52	0	6	14	13	94	0	179
Strafford	101	30	0	5	10	9	47	0	101
Sullivan	38	9	0	0	2	5	22	0	38
Out of State	35	8	0	1	0	5	21	0	35

Program Effectiveness Statistics

July 11, 2023

Reasons for Closing Individual Advocacy Case File

1. Client's Objective Was Partially or Fully Met – 83%
2. Other Representation Found – 0.4%
3. Individual Withdrew Complaint or Refused to Coop – 2.6%
4. Services Were Not Needed Due to Client's Death or Relocation – 1.2%
5. Individual's Case Lacked Merit/– 6.4%
6. Individual's Issue Not Favorably Resolved – 0.6%
7. Not within priorities – 1.7%
9. No capacity/Lack of DRC-NH Resources – 4.1%

Client Satisfaction Survey Results

How satisfied were you with the information, referral or advice you received from DRC?

1. Very satisfied – 61%
2. Somewhat satisfied – 13%
3. Somewhat dissatisfied – 13%
4. Very Dissatisfied – 13%

Is the information you received from DRC helping you to solve your problem?

Yes – 67%

No – 33%

As a result of working with the DRC...I know more about my rights or the rights of my family member.

Yes – 69%

No – 31%

DRC DISABILITY RIGHTS CENTER - NH

64 North Main Street, Suite 2, Concord, NH 03301-4913 • mail@drcnh.org • drcnh.org
(603) 228-0432 • (800) 834-1721 voice or TTY • FAX: (603) 225-2077

FOR IMMEDIATE RELEASE:

Date July 8, 2022

CONTACT: Stephanie Patrick, Executive Director

Disability Rights Center - New Hampshire

(603) 228-0432 or stephaniep@drcnh.org

Disability Rights Center – New Hampshire Receives Grant From the New Hampshire Bar Foundation

Disability Rights Center - New Hampshire (DRC-NH) is pleased to announce the receipt of \$48,000 in funding from the New Hampshire Bar Foundation's IOLTA grants program. The grant will support DRC-NH's legal advocacy for people with disabilities across New Hampshire, including people with developmental disabilities, mental illness, and physical disabilities.

Attorneys and the banking community partner to fund the IOLTA grant program through interest on certain lawyer trust accounts, paid to the New Hampshire Bar Foundation to fund a statewide grant program to promote justice. IOLTA grants fund nonprofit organizations, like DRC-NH, that provide free or reduced-fee civil legal services. More information about the New Hampshire Bar Foundation and the IOLTA grant program can be found at www.nhbar.org/nh-bar-foundation.

"Thank you to the attorneys, banks, and the NH Bar Foundation. Funding through the IOLTA program helps us to work toward a day when people with disabilities live the lives that they choose, lives that are free from abuse, neglect, and discrimination," said Stephanie Patrick, Executive Director of DRC-NH.

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DRC-NH protects, advances, and strengthens the legal rights and advocacy interests of all people with disabilities. More information about DRC-NH can be found at <http://www.drcnh.org>.

Our Funding

The Disability Rights Center-New Hampshire, Inc. is a 501(c)(3) nonprofit corporation registered in New Hampshire.

This website has been made possible by grants from the Center for Mental Health Services, Substance Abuse and Mental Health Services Administration (<https://www.samhsa.gov/>), the U.S. Department of Health & Human Services Administration on Community Living (<https://acl.gov/programs/aging-and-disability-networks/state-protection-advocacy-systems>), the U.S. Social Security Administration (<https://www.ssa.gov/work/protectionadvocacy.html>), and the U.S. Department of Education, Offices of Special Education & Rehabilitative Services. (<https://www2.ed.gov/programs/rsapair/index.html>)

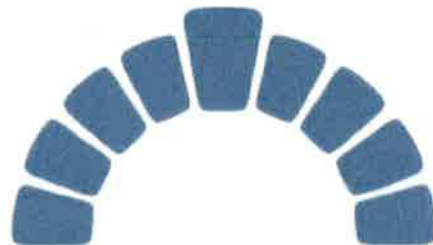
Our work is funded in part by grants from the New Hampshire Bar Foundation (<https://www.nhbar.org/nh-bar-foundation/iolta/>).

NEW HAMPSHIRE BAR ASSOCIATION

Equal Justice Under Law



Our work is funded in part by grants from the New Hampshire Charitable Foundation
(<https://www.nhcf.org/>).



NEW HAMPSHIRE CHARITABLE FOUNDATION

Our work is funded in part by grants from the Granite United Way
(<http://www.graniteuw.org/>) including the Central Region, Southern Region, and Upper Valley Region.



Protection and Advocacy System for New Hampshire



"You provided exactly the additional assistance I needed to solve the problem. When you spoke, they listened. Thank you."

Do you need legal advice or assistance with a disability-related problem?

DRC-NH is dedicated to eliminating barriers for people with disabilities across the state. Call us to schedule a free consultation on a disability discrimination issue with an experienced attorney.

Advocating for the legal rights of people with disabilities in these areas:

- Abuse and Neglect
- Access and Accommodation
- Children's Issues
- Employment
- Special Education
- Developmental Disabilities
- Representative Payee
- Voting
- Housing
- Medicaid and Healthcare
- Mental Health
- Traumatic Brain Injury



**Call DRC-NH at
1-800-834-1721**
to set up
an appointment
to speak with an attorney
by phone. Your information
is confidential.

"I truly believe that without DRC-NH, my son would not have maintained his current level of care. We don't know what we would do without the DRC. Thank you very much." -Mother of a client

"DRC-NH is my only true advocate and I am so grateful." - Client

"The fast response, the help understanding just what a law means, the respect with which I was treated, all made my experience as good as it could be." -Client

Hours:

Monday-Friday
8:30-12 and 1-4:30
Information in alternate
formats provided upon
request.

How We Can Help

- Legal advice and assistance with disability-related issues
- Legal representation in priority areas
- Information and referral
- Investigations of abuse and neglect
- Monitoring of facilities, including site visits and speaking with residents
- Policy and system change advocacy
- Access to and improvement of community services
- Quality education services for students with disabilities
- Access to voting, public accommodations, and assistive technology
- Know your rights training, consultation, and technical assistance



Our Mission

Disability Rights Center - New Hampshire (DRC-NH) is dedicated to the full and equal enjoyment of civil and other legal rights by people with disabilities.

Our Authority

DRC-NH is New Hampshire's designated Protection and Advocacy agency and authorized by federal statute "to pursue legal, administrative, and other appropriate remedies" on behalf of individuals with disabilities. We are a statewide organization independent from state government and service providers.

Disability Rights Center - NH

Protection and Advocacy System for New Hampshire

64 North Main Street, Suite 2, 3rd Floor

Concord, NH 03301-4913

twitter.com/DRCNH

facebook.com/DisabilityRightsCenterNH

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TDD access also through NH Relay Service

VOICE AND TDD: 1-800-735-2964

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The contents are solely the responsibility of the grantees and do not necessarily represent the official views of the grantors.



DISABILITY RIGHTS
CENTER - NH



"Me brindaron exactamente la asistencia adicional que necesitaba para resolver el problema. Cuando ustedes hablaron, ellos escucharon. Gracias".

Sistema de protección y defensa de New Hampshire

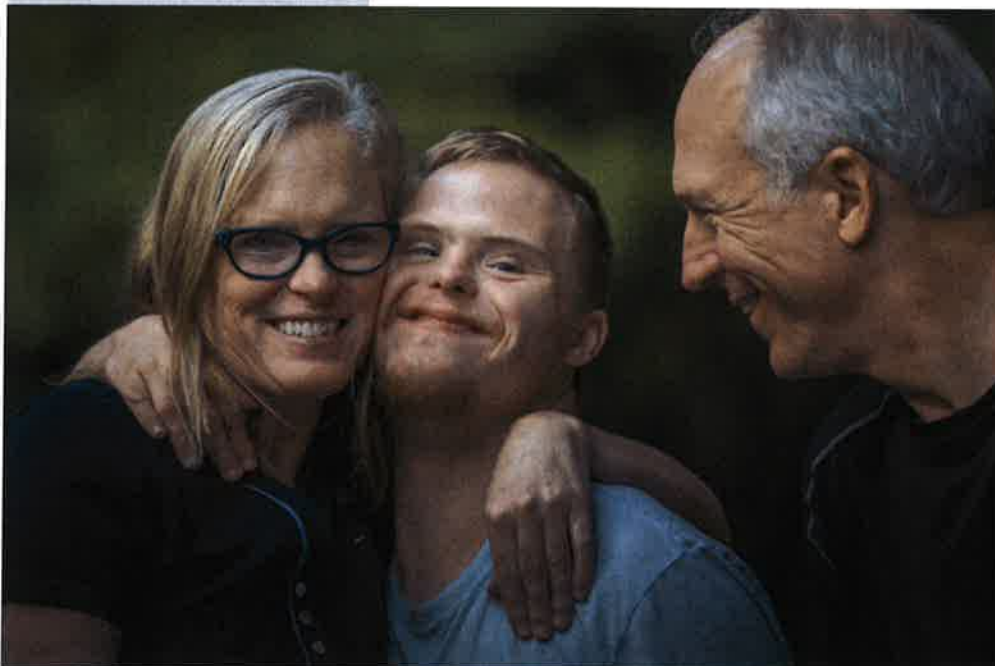


¿Necesita asistencia o asesoramiento legal en torno a problemas relacionados con una discapacidad?

DRC-NH se dedica a eliminar los obstáculos a los que se enfrentan las personas con discapacidades en todo el estado. Si tiene un problema de discriminación por discapacidad, llámenos y le programaremos una consulta gratuita con un abogado experimentado.

Nos dedicamos a defender los derechos legales de las personas con discapacidades en las siguientes áreas:

- Abuso y negligencia
- Accesibilidad y adaptaciones
- Problemas infantiles
- Empleo
- Educación especial
- Discapacidades del desarrollo
- Representante autorizado para recibir pagos
- Votación
- Vivienda
- Medicaid y servicios de atención médica
- Salud mental
- Lesión cerebral traumática



**Comuníquese con
DRC-NH al
1-800-834-1721**
para coordinar
una consulta
telefónica con un
abogado. Su información
es confidencial.

"Honestamente creo que, sin DRC-NH, mi hijo no hubiese podido mantener su nivel actual de cuidado. No sé qué haríamos sin DRC. Muchísimas gracias". Madre de un cliente

"DRC-NH es mi único y verdadero defensor, y estoy muy agradecido por ello". Cliente

"Desde la respuesta rápida y la ayuda para comprender el significado de una ley, hasta el respeto con el que se me trató; todo esto hizo que mi experiencia fuera la mejor". Cliente

Horario de atención:

Lunes a viernes
de 8:30 a. m. a
12:00 p. m. y de
1:00 p. m. a 4:30 p. m.
Puede solicitar esta
información en otros formatos.

Cómo podemos ayudar

- Asistencia y asesoramiento legal en torno a problemas relacionados con discapacidades
- Representación legal en asuntos prioritarios
- Información y derivación
- Investigaciones sobre abuso y negligencia
- Supervisión de establecimientos, lo que incluye visitas a lugares y conversaciones con sus residentes
- Defensa ante modificaciones en el sistema y las políticas
- Acceso a servicios comunitarios y mejoras en su calidad
- Servicios educativos de calidad para alumnos con discapacidades
- Acceso a votación, servicios públicos y tecnología asistencial
- Capacitación "Conozca sus derechos", consultas y asistencia técnica



Nuestra misión

El propósito de Disability Rights Center - New Hampshire (DRC-NH) es que las personas con discapacidades puedan disfrutar plena y equitativamente de sus derechos civiles y legales.

Nuestra autoridad

DRC-NH es la agencia de protección y defensa designada del estado de New Hampshire, y está autorizada por ley federal "a iniciar acciones legales o administrativas, o recurrir a otras soluciones apropiadas" en nombre de las personas con discapacidades. Somos una organización de alcance estatal, independiente del gobierno y de los proveedores de servicios del estado.

Disability Rights Center - NH

Sistema de protección y defensa de New Hampshire

64 North Main Street, Suite 2, 3rd Floor

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Los contenidos de esta publicación son responsabilidad exclusiva de los beneficiarios y no representan necesariamente el punto de vista oficial de los otorgantes.

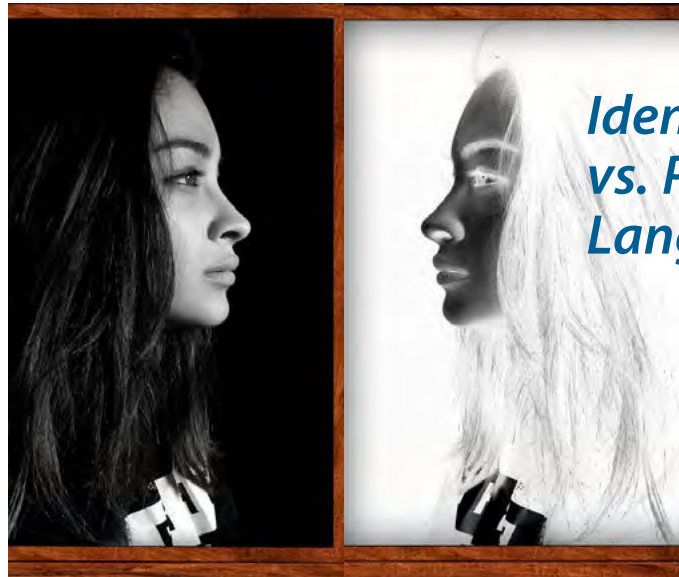
WORDS MATTER

In this issue we look at how the language we use when talking about disability affects the way we see ourselves and each other. Learn how the systemic use of ableist language has cultivated exclusionary policies and how the evolution of language can help us break down barriers to inclusion and foster a sense of dignity for people with disabilities.

We want to hear from you. Please share your ideas for future themes, or your suggestions of how we can increase accessibility, by emailing mail@drcnh.org.

A Discussion on Language

By Nathaniel Livernois



**Identity-First
vs. People-First
Language**



*Nathaniel Livernois
gives his perspective on
disability language.*

When describing my diagnosis, would it be better to say I am autistic or that I have autism? These two options are known as identity-first and person-first language. When using the former, it highlights one's disability and relates it back to oneself. The latter acknowledges the person with disabilities before the disability itself. Both have slightly different approaches, but both are acceptable if whoever you are describing is okay with your choice of language.

Why should it be okay to accept either option? Let's start with identity-first language. In the previously stated phrase "I am autistic," the word "autistic" is a single word defining one personal trait. Calling myself an autistic person doesn't make any assumptions about me as a whole, any more than calling myself a joyful man means that I can never be sad. The language only relates me to the diagnosis of autism. It says nothing about personality, physical traits, beliefs, relationships, or any other qualities that may belong to me. It only provides the basic information that I'm autistic.

(continued on page 2)

A Discussion on Language

(continued from page 1)

When looking at person-first language, there are small differences from identity-first language. Using the phrase “I have autism,” as an example, the tone shifts away from the disability towards the speaker. Rather than defining a disability as a personally-defining quality, person-first language claims that disability is a trait over which one has ownership. By showing ownership, person-first language tries to emphasize the importance of the person over the disability. However, the end result is almost identical to identity-first language. Both approaches describe how disability relates to the individual, but they never reach beyond the disability’s definition.

There is, however, one form of language that does fail to define having a disability without reaching into other aspects of life. This would be the phrase “experiencing disability.” If I were to say that “I experience autism,” there would be a few problems here. The first being that an experience usually has a clear start and endpoint. Neither of those are visible here unless you want to include my birth and death, which most advocates probably aren’t thinking about when they use this phrase. Additionally, describing disability as an experience is not a common occurrence for temporary disabilities. At least anecdotally, I don’t think I’ve ever heard of someone “experiencing a broken leg.” **Because an experience is temporary, it might be more appropriate to say that others experience my disability through me. My disability itself is not an experience. However, it does lead to plenty of life experiences.**

Language is always tough to get right. What may be the right words to use in some company may be inappropriate in others. Although I have outlined both identity-first and person-first language as appropriate here, it is important to note that many people are only comfortable with one or the other. **Respect should always be at the front of every conversation.**

Nathaniel Livernois is a 2022 SARTAC fellow at the Institute on Disability at the University of New Hampshire.

The prefix dis is often associated with something negative. It turns words like respectful or honest into disrespectful and dishonest. However, dis is also related to the Latin prefixes of bis and duo, both of which are related to the notion of twice or two ways. When considered this way, the term disability sheds its negative connotation for one that is powerful:

Dis = Another Way of Doing and Being

Disabled = an ability to do or be something in another way

Disability = an ability to do or be in another way

“Disability does not need to be a dirty word. It does not need to be something of which to be embarrassed or ashamed. Rather, it holds the potential to a power to see and experience the world in a completely different way.” —Meriah Nicols

Adapted and used with permission from *3 Reasons to Say Disability Instead of Special Needs* by Meriah Nicols available at <https://www.meriahnichols.com/3-reasons-say-disability-instead-special-needs/>



Linguistic Ableism

"Ableism is not a list of bad words. Language is one tool of an oppressive system. Being aware of language—for those of us who have the privilege of being able to change our language—can help us understand how pervasive ableism is. Ableism is systematic, institutional devaluing of bodies and minds deemed deviant, abnormal, defective, subhuman, less than. Ableism is violence." —Lydia X.Z. Brown

Excerpt from: *Violence in Language: Circling Back to Linguistic Ableism*
by Lydia X.Z. Brown*



Linguistic ableism:

- a) is part of an entire system of ableism, and doesn't exist simply by itself,
- b) signifies how deeply ableist our societies and cultures are by how common and accepted ableism is in language,
- c) reinforces and perpetuates ableist social norms that normalize violence and abuse against disabled people,
- d) actively creates less safe spaces by re-traumatizing disabled people, and
- e) uses ableism to perpetuate other forms of oppression.

*Read the entire article at <https://bit.ly/3hCtYvJ> (2014). For more from Lydia X.Z. Brown including a list of generally ableist terms and phrases visit <https://bit.ly/3WqpUh6> (updated 2022).

Four Disability Euphemisms That Need to Bite the Dust

By Emily Ladeau

One of the biggest disparities surrounding disability is the language people use to refer to it. I prefer to be a straight shooter and keep things simple by using the term “disabled person.” Other people choose alternative euphemisms to avoid saying that. While I know some people genuinely embrace words other than “disabled”—even some people who actually have disabilities—I just can’t get on board with that.

Of course, I can’t presume to speak for anyone other than myself, and everyone should have the right to choose how to refer to themselves so long as they don’t impose it upon anyone else. However, when non-disabled people try to dance around the word “disabled” in an effort to be more respectful, I don’t think they realize the hidden ableism behind the euphemisms. It demonstrates an assumption that “disabled”

is a negative quality or derogatory word, when, in fact, disabled is what I am. It is, in my opinion, the plainest, simplest, most straightforward, and least offensive way to refer to what my body can and cannot do.

So, next time you hesitate to say “disabled,” consider why I wish these four alternate terms would kick the bucket:

1. Challenged

Having a disability definitely makes some things more difficult for me, but we all face challenges on a daily basis, regardless of ability. This makes it frustrating when people call me “challenged” because it makes me feel like my existence is a problem. In reality, most of my challenges stem from circumstances I encounter in the world around me. Instances of discrimination and environmental access barriers that disabled people experience are not our fault. We are challenged by



people who perpetuate stigmas about disability; we are challenged by people who cannot be bothered to make locations accessible; we are challenged by inadequate legislation. But to call us challenged when we are neither the cause of our challenges, nor the only humans who deal with challenges, is quite unfair, don't you think?

2. Handicapable

This term drives me up the wall. It's so cutesy and dripping with condescension, almost like a verbal pat on the head. I don't need sugary-sweet reminders that I am capable of things just because I have a disability. I already know that, because every human has capabilities and limitations. Even so, I've encountered the rare disabled person who uses "handicapable" in a completely un-ironic way, and I just don't get it.

I know many non-disabled people who say "handicapable" do so with the intention of showing that they don't "see" disability or that it's not a big deal, but disability is part of a disabled person. My disability doesn't make me feel like less of a person, but calling me "handicapable" does. In fact, the only thing I think of when I hear it is that "the handicapable" would be a good name for a brand of kitchen gadgets at Walmart or Bed, Bath, and Beyond.

3. Differently-abled

Let's think about this one for a moment, because it's actually loaded with prejudiced assumptions. Essentially, "differently-abled" implies that there's such a thing as a standard body that possesses standard abilities. The problem with this? There's

not. No two people are able to do exactly the same things in exactly the same ways. Some people are able to walk on their feet. Some people are able to roll in a wheelchair. Some people can touch their tongue to their nose. Some people can contort like a pretzel. So, to be technically correct, disabled people aren't the only ones who are differently-abled. We all are.

4. Special Needs

Why, oh why is this still such a common term? It makes no sense to me. By much the same logic that explains why "differently-abled" is inaccurate, it's clear that "special needs" is too. If you are a human, you have needs. Everyone has needs. What makes mine so "special" just because I have a disability? Nothing.

My needs are not "special" just because they're not met in ways identical to the needs of non-disabled people. I need a ramp; you need steps. Not special, just facts. I need a wheelchair; you walk. Not special, just facts. Moreover, the needs of non-disabled people certainly aren't all met in the same ways. Just like every other living, breathing human being on this planet, I am a person who has needs that must be fulfilled in ways appropriate to my abilities.

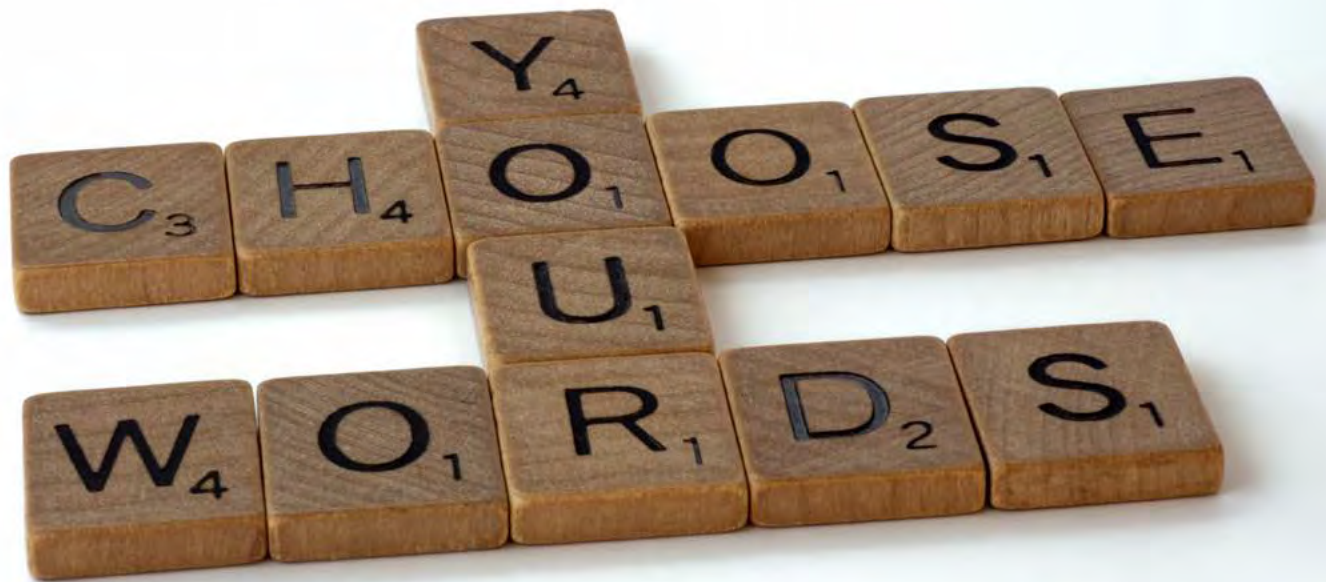
Whether you're disabled or non-disabled, I urge you to realize why euphemisms really aren't a show of respect, no matter how well meaning your intent might be. They can be disempowering, patronizing, and even hurtful. So please, just call me a disabled woman, because that's who I am, and that's who I'm proud to be.

This article was reprinted with permission. Emily Ladau is a writer and disability rights activist whose passion is to harness the powers of language and social media as tools for people to become informed and engaged social justice advocates. She maintains a blog, Words I Wheel By, as a platform to address discrimination and to encourage people to understand the experience of having a disability in more positive, accepting, and supportive ways.

"Everyone has needs. What makes mine so 'special' just because I have a disability? Nothing." —Emily Ladeau

The Power of Language

By DRC-NH Legal Intern, Brianna Hankel



The words *idiot*, *imbecile*, and *moron* are commonly used in everyday slang, but where did they originate? The answer is from the lexicon of Henry Goddard, an early twentieth-century psychologist and eugenicist who tried to prove that intelligence, criminal behavior, and work ethic were all determined by an individual's genetics. Goddard believed that an IQ test could identify “feeble-minded” people who were dangerous and should not be allowed to reproduce.

In 1924, the state of Virginia used Goddard's—and other eugenicists'—theories as justification to legalize the forced sterilization of “feeble-minded” individuals. At that time, Carrie Buck was a patient at Virginia's State Colony for Epileptics and Feeble-minded. She had recently given birth to a child also deemed “feeble-minded.” The head of the institution wanted her sterilized and the case went all the way to the U.S. Supreme Court. In one of its most infamous decisions, *Buck v. Bell*, the Court decided that the government could force people with disabilities to be sterilized against their will. Chief Justice Oliver Wendell Holmes justified the ruling with his claim that,

“Three generations of imbeciles are enough”—a reference to Carrie Buck's mother, Carrie herself, and Carrie's child. The Court has never reversed the Buck decision, and it remains law today.

Seventy thousand individuals with disabilities have been sterilized in the U.S. since the Buck decision. In 1980, a New Hampshire court case known as *In re Jenny N* involved a 12-year-old with developmental disabilities. Her parents and doctor decided she could not manage menstruation and petitioned for a hysterectomy to sterilize her. The probate court found that Jenny's parents had a good faith belief that the procedure was in her best interest and gave them permission to consent to the sterilization. The New Hampshire Supreme Court upheld the decision, making New Hampshire one of only 17 states that allows the forced sterilization of both children and adults with disabilities. For more on these laws visit <https://bit.ly/3WslBSa>.

As time progresses, so does language and the law—with the law often taking longer to catch up. The term “feeble-minded” was replaced by “mental defect” in medical terminology around

the 1930s. In the 1950s, parents whose children were subjected to inhumane cruelty, abuse, and neglect while institutionalized began to advocate for community-based care and access to education. The change in attitudes forced language and the law to change. “Mental defect” later became mental retardation and then just retarded. During this cultural shift in the 1950s, 60s, and 70s, the “r-word” was regarded as a more dignified and respectful alternative to Goddard’s words of the past.

As people with disabilities shifted out of state-run institutions into community-based settings, more accessible educational opportunities and services became available. In 1975, the Education for All Handicapped Children Act was passed. It took nearly two decades but, in 1990, the name of this federal civil rights law was changed to the Individuals with Disabilities Education Act (IDEA) and the text of the law shifted to person-first language. Around this same time, the U.S. Department of Education itself shifted to person-first language to further its goals of inclusivity and respect. In 1992, the Association for Retarded Citizens changed its name to The ARC. Today, The ARC is one of the most respected national disability rights organizations.

In 2009, a campaign called “Spread the Word to End the Word” was formed. The goal was to address exclusionary language, specifically to end the use of the “r-word.” With corporate sponsorship from the Special Olympics and Best Buddies, the grassroots campaign reached millions who acknowledged the harmful use of the word.

In 2010, Rosa’s Law removed the “r-word” from some federal education, health, and labor statutes, including the Americans with Disabilities Act. Named after a child with Down syndrome, Rosa’s Law demonstrates the power of language within legislative text. During the lead up to the law’s

***“What you call people
is how you treat them”***

passing, Rosa’s 11-year-old brother stated, “What you call people is how you treat them. What you call my sister is how you will treat her. If you believe she’s retarded, it invites taunting, stigma. It invites bullying and it also invites the slammed doors of being treated with respect and dignity.”

Three years after Rosa’s Law passed, the American Psychiatric Association dropped “mentally retarded” from its Diagnostic and Statistical Manual (DSM-5) and the Social Security Administration voluntarily removed the “r-word” from its policies. This past September, a new bill, the Words Matter Act (H.R. 8863), was introduced. The Words Matter Act is a bipartisan effort to change all remaining references of the “r-word” in federal law to “intellectual disability.” If passed, this Act will remove this outdated and harmful language from twelve additional federal laws including the National Housing Act and the Omnibus Crime Control and the Safe Streets Act of 1968.

People of the past failed to recognize that all people deserve dignity and respect and yet harmful, hurtful, and ableist words like moron, lame, and the “r-word” continue to be used by the media, our law makers, the courts, and even by our family and friends. As our commitment to inclusion evolves, so too must our language—whether it be casual slang or legal text—because the words we use to describe a community of people directly informs the policy and laws that govern them.

Brianna Hankel is a third-year law student at UNH Law where she is pursuing her JD and a certificate in health law and policy.

Disability Language Guide

There are two main ways to write about disability: person-first and identity-first. All three DRAPP organizations use person-first language as a default and that is reflected in this language guide. However, when possible, we ask individuals with whom we are working or writing about which format they prefer.

Example:

- Person-first: “A person with a disability”
- Identity-first: “A disabled person”

The following list depicts phrases and terms that are generally considered appropriate, as well as terms and phrases to avoid. Please keep in mind that language is constantly evolving and not everyone has the same preference, so the best guideline when referring to people is to ASK.

PREFERRED	AVOID
accessible parking/accommodations	handicapped accessible
children/student with disabilities	special children, special needs
education, appropriate education, or the education of students with disabilities	special education, SPED
individual without a disability	able-bodied, normal, whole
individual with a physical disability	crippled, lame, handicapped, deformed, defective, differently abled, handicapable
individual with a spinal cord injury	quadriplegic, paraplegic, incapacitated
individual with (e.g., multiple sclerosis)	suffers from (e.g., multiple sclerosis)
individual who uses a wheelchair	wheelchair-bound/confined to a wheelchair
individual who is blind or has low vision	blind
individual who is deaf or hard of hearing	the deaf, deaf and dumb, deaf-mute, hearing impaired
individual with burns	burn victim, disfigured
individual of short stature	dwarf or midget
individual who had a stroke	stroke victim/suffered from a stroke
individual with a cleft lip/cleft palate	hare lip



PREFERRED	AVOID
individual with a congenital disability	deformed/person with birth defect
individual with epilepsy or a seizure disorder	Epileptic, spastic, person who has “fits” or “attacks”
individual living with HIV or AIDS	HIV or AIDS victim
individual with a learning disability	slow learner, retarded, stupid
individual with an intellectual disability	Slow, retarded, dim-witted
individual with dyslexia	dyslexic
individual with a psychiatric disability or with a mental health diagnosis	Crazy, maniac, lunatic, demented, schizo, psycho, feeble-minded, deranged, spaz, mad, nuts, insane
individual with autism	autistic
assistance animal, service dog	Seeing-eye dog (refers only to a service dog specifically trained to assist an individual who is blind or has low vision)
Down syndrome or Trisomy 21	Down’s syndrome, Downs

The above material is adapted from *Guidelines for Reporting and Writing about People with Disabilities* by the Research and Training Center on Independent Living at The University of Kansas and the National Disability Rights Network’s *Words Matter—Guidelines for Reporting and Writing About People with Disabilities*. For more information visit www.rtcil.org or ndrn.org.

An excerpt from:

How to talk about disability sensitively and avoid ableist tropes

By Shruti Rajkumar

Inspirational narratives of disability are directly tied to a term called "inspiration porn." Coined by activist Stella Young, inspiration porn is defined as "objectifying disabled people for the benefit of nondisabled people."

[Rosemary] McDonnell-Horita [of LaVant Consulting] said an example of inspiration porn is the viral videos that get spread around prom season of a high school football player asking a girl with Down syndrome to prom. Being asked to prom is something that almost everyone wants, she said. But videos of disabled people getting asked to prom get amplified because society perceives disabled people as pitiable and "unlovable." This is just one example of how inspiration porn degrades, exploits and others disabled people.

"It's really dangerous to have that be the trope because then it really limits and continues to infantilize disabled people and their potential," McDonnell-Horita said. "It's very patronizing, and it only continues to other disabled people, as if they don't deserve to have access to regular life milestones that other young people have."

Another example of inspiration porn is videos of disabled people standing up out of their wheelchair at a wedding. This directly ties into the "overcoming disability" narrative. [Cara] Reedy [the director and founder of the Disabled Journalists Association] points out that these tropes come back to disabilities being seen as a deficiency and that they serve to dehumanize disabled people.





"If the stakes are lower and the assumption is that you can't do anything, that you're not that smart and that you aren't supposed to achieve anything, [then] any time you achieve something, it becomes like a party. But what that does is it erases all of the disabled person's effort, all of the barriers they've had to overcome," Reedy said.

These tropes frame disabled people as being held back by their disability and imply that it's something that they have to overcome. McDonnell-Horita said that her disability identity isn't something she has had to overcome. Instead, she has had to overcome the shame she was taught to feel about herself as a disabled person, ignorant questions that people ask her and the systemic ableism that keeps disabled people out of certain spaces.

"If you're still writing stories about inspirational people and disability and not really digging into the barriers, then you're creating—and this is going to sound extreme, but — you're creating violence. You are perpetuating violence among a group of people, which, by the way, is a quarter of the American population," Reedy said.

The infantilization in such language is harmful, as it leads to people not being able to make choices in their lives and the assumption that they shouldn't. For example, 1.3 million disabled adults are in conservatorships in the United States, according to the National Council on Disability. Additionally, 31 states plus Washington, D.C., have laws that allow the forced sterilization of disabled people.

"There's language that infantilizes, but there's also actions. The actions are the insidious part that the language is sort of covering for," said Reedy.

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In Memorium

Remembering Freda Smith

By Deb Genthner

In 2005, on my first day as a New Hampshire Leadership Series trainee, I met Freda Smith. She told her daughter's story and I cried. Her daughter, Janet, was sent to the Laconia State School when Freda became sick and could no longer give her daughter the care she needed. This could have been my son's story.

When Freda was well enough to visit Janet at school, she quickly learned the living arrangements were difficult for all and unlivable for many. She pushed for improvements and when that didn't work, she advocated for the school to be shut down altogether.

Janet was a named plaintiff in the landmark case *Garrity, et al.*, which resulted in a dramatic reduction in the number of people housed at the Laconia State School and which directly led to New Hampshire becoming the first state in the nation to close our only institution for people with developmental disabilities. When the case went to trial, Freda never missed a day in the court room.

When I think about tough times and hard-to-win situations, I think about Freda. She rallied and organized people across the state to create policy change and better the lives of her daughter, her family, and others with disabilities. She was a mother who fought for something she believed in—and she won.



Freda promised to live to 200 so she could share her daughter's story and ensure no one would ever forget that there was once a place called the Laconia State School and Training Center. For over 25 years, each entering class of the IOD's NH Leadership Series spent their first session with Freda. She worked for decades as a champion for education, social justice, and civil rights for citizens with disabilities and their families. Freda Smith's work ensured that children with disabilities and their family members would be supported, have good lives, and be welcomed as members of their communities.

***"When I think about tough times
and hard-to-win situations, I think about Freda."***

Deborah Genthner is the coordinator of the NH Leadership Series.



In Memorium

Memorial Statement for Freda Smith *By Dick Cohen*

Freda Smith had a long, robust life with many varied interests at the center of which was her family. I knew her through her advocacy on behalf of her late daughter, Janet, and so many others who were institutionalized at Laconia State School. I worked closely with Freda around the Laconia State School class action lawsuit, *Garrity v. Gallen*, and years later when she served as a Disability Rights Center Board member. As a result of her disability advocacy, she was recognized by the *Concord Monitor* as one of the 100 most influential persons in New Hampshire in the twentieth century.

Up through the 1970s/80s, the predominant way New Hampshire and all other states “served” individuals with developmental disabilities was by institutionalizing them in large, segregated, and isolated institutions where conditions became more inhumane over time. Due primarily to Freda’s leadership and sheer will, along with the contributions of others, New Hampshire ultimately closed Laconia, replacing it with the statewide Area Agency system, becoming the first state in the union to do so.

Freda’s disability advocacy was based on her own personal beliefs but was also grounded on fundamental legal and human rights. Institutions such as Laconia were not only unnecessary to support individuals with disabilities, but they also deprived them of their very rights to be safe and to achieve their potential.

Like so many parents, Freda and Harvey Smith placed Janet at Laconia State School as there were no educational or social services available in the community. Because of the institution’s lack of transparency, it was difficult for parents, or any “outsider,” to know the true depth of the horrific conditions there. When Freda learned what was happening at Laconia, she began unceasing efforts to compel reform not only for her daughter, but for all residents. She became President of the New Hampshire ARC as well as a leader of the

Laconia State School ARC chapter. In 1975, she was instrumental in the enactment of RSA 171-A, the state’s transformative community-based services law.

While there were some improvements after the passage of that law—due primarily to federal funding measures—conditions remained egregious. Freda, as a parent and president of NHARC along with Jim Haddock, its executive director, approached NH Legal Assistance to see if they would file suit. John Macintosh and I were the attorneys selected as co-counsel. The federal class action suit, with Janet as one of the six named plaintiffs, was filed in 1978. After a 10-week trial in 1980, Judge Devine ordered the State to establish the Area Agency system, ultimately leading to the closure of the institution in 1991.

While the trial clearly established that most, if not all, residents at Laconia State School would be far better off in the community, there were some who were skeptical. It was understandably hard for some parents to imagine a comprehensive and coordinated community system. Freda had the vision, imagination, and boldness to understand that the only way her daughter and all children and adults could have the opportunity to be truly safe and secure would be to live in their community close to family, friends, and neighbors. She thus played a key role in advancing the lawsuit not just in the court but amongst many skeptical parents and citizens.

What made Freda such a force for transformative change? Her imagination and boldness, to be sure. She also had a formidable quality which some found intimidating. But in my view, what motivated Freda were high standards and her profoundly loving and caring heart for her Janet and all those with disabilities.

So many lives were changed, and continue to change, because of Freda. As we pay tribute to Freda, let her commitment to disability rights inspire us to work towards inclusive and quality lives for all people.

Dick Cohen is an attorney and disability rights advocate. He served as co-counsel on Garrity v. Gallen and was the Executive Director of Disability Rights Center – NH from 2002-2015.

“Your Request Cannot be Filled”

The Shortage of ASL/English Interpreters in the U.S.

By Laurie R. Shaffer, Dan Hoffman, and Karen O’Hicks

Any quick Google search on the topic of American Sign Language (ASL)/English interpreter service pulls up headlines of stories that reveal a scarcity of interpreters. This scarcity is a long-standing and continuing problem across all corners of our country. Why is this? Simply put, the number of interpreters is not commensurate with the need for service.

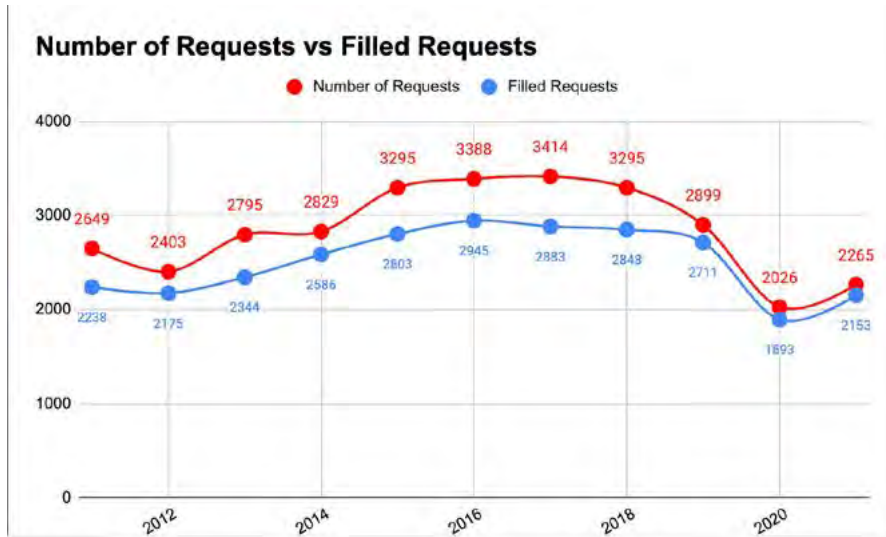
While most statistics are based on hearing loss, not language use, a reasonable estimate is that over six million Deaf people live in the U.S. and use ASL as their primary language. Laws such as the Americans with Disabilities Act aim to create a more equivalent lived experience for all members of society. These laws have opened doors, and with every door that opens, the demand for interpreters rises. Many institutions of higher learning, and even high schools, are offering American Sign Language classes. Shouldn’t this create more interpreters? Yes and no.

ASL is a complex and rich language that takes years to master, and it may surprise people that it is not simply English vocabulary presented manually. Signs are accompanied by many other linguistic components found elsewhere on the body. For example, raising your eyebrows and tilting your head forward is asking a “yes/no” question. Puffing your cheeks while you sign “slow” adds a modifier to show that something was REALLY slow. As with any second language, most learners can develop basic conversational skills, but few become fully fluent. It is imperative that interpreters have full fluency in both ASL and English.

Another factor to consider is that Deaf people are as varied as the rest of America – they comprise a multitude of races, religions, ethnicities, and sexual orientations. They have different levels of education, employment, and economic status. When people with disparate experiences and ways of viewing the world come together to interact, conversations can be very complex. No one interpreter is suitable for every situation.

The chart on the next page (Figure 1) shows one New Hampshire agency that arranges interpreting services for various assignments. Comparatively speaking, they are quite successful at filling requests for interpreter service. Note that there are 100 to 400 requests unfilled. That means 400 interactions with doctors, teachers, and employers that did not happen. This deficit has a real impact on the daily lives of Deaf people.





Northeast Deaf and Hard of Hearing Services

Figure 1: The number of requests for ASL interpreters versus the number of filled requests.

The bottom line is that demand clearly surpasses supply. As more Deaf people obtain higher degrees and enter all levels of society and employment, the requests for service increase and often require specialized expertise. At the same time, it appears that the number of available interpreters has plateaued.

How can this problem be overcome?

Most solutions involve technology. In the future, we may see the use of holographic communication – three-dimensional projection suitable for ASL. Currently, there is increased use of Video Remote Interpreting (VRI) – an interpreting service provided virtually. This service links interpreters from across the country with those seeking service, maximizing the availability of interpreters. However, there are drawbacks to VRI service such as the impact on authentic human connection that serves a vital role in communication.

One option that is not technology-based is offering high quality ASL instruction across the school curriculum, starting as early as elementary school. Taking ASL classes throughout primary and secondary school would mean students could enter a training program for interpreting with language fluency and be better prepared to enter the field upon graduation.

In a perfect world, everyone in the U.S. would learn ASL, eliminating the need for interpreters. In the meantime, creative solutions are needed to increase the number of interpreters as soon as possible. The shortage of interpreters is real, and the consequences are significant for Deaf people and for the rest of society. Without interpretation, we are hindered from interacting with and learning from this rich linguistic and cultural minority.

Three Reasons to Say “Disability” Instead of “Special Needs”

By Meriah Nichols

1. People with Disabilities Want You to

In and of itself, this is really the only answer anyone should need: *people with disabilities want you to.*

Parents of kids with Down syndrome have been on a campaign to stop the use of the word “retard,” first and foremost, because people with Down syndrome have asked us to stop saying it. Regardless of how it makes sense or not to people, we ask that people “spread the word to end the word”—quit saying the “r-word.”

Adults with disabilities ask that you say “disability” and not “special needs” when you are talking about disability.

“Disabled people should control the conversation about their disabilities, and the language used about them, not their parents.”
—Louisa Shiffer

Your child with autism, Down syndrome, cerebral palsy, deafness, brain injury, dyslexia, spina bifida, blindness, muscular dystrophy—all of it—every one of them counts as a disability, and adults from every one of those communities identify as being disabled.

That doesn’t mean every adult from those communities, just like not every adult with Down syndrome is asking you to quit saying the r-word; but enough of them, the majority of them, identify as having a disability, not a special need.

2. “Special Needs” as an Educational Term is Outdated

I myself hiccupped there. I thought that you could have a special need and not a disability—that is, that one could have an IEP for something not necessarily disability-related.



Wrong! It’s all disability-related if they receive an IEP. Anyone with an IEP has a disability; anyone receiving services or accommodation under section 504 or the IDEA has a disability. Point blank. Call it what it is.

Say the word: **disability**. In the words of Lawrence Carter-Long:

“A need isn’t special if other people get to take the same thing for granted.”

3. All the Other Words Make Us Gag

“Handi-capable,” “People of all abilities,” “Different abilities,” “Differently abled” can be lumped together with “special needs.” They all sound patronizing, condescending.

And they are all inaccurate.

“Handi-capable,” “People of all abilities,” “Different abilities,” “Differently abled” and “special needs” were made up outside of the disabled community, by people without disabilities. Their continued use, and the defense of their use by people without disabilities reeks of able-splaining; that is, people *without* disabilities explaining disability to people *with* disabilities.

Excerpted and used with permission by Meriah Nichols. View her entire piece at <https://www.meriahnichols.com/3-reasons-say-disability-instead-special-needs/>.

Meriah Nicols is a counselor, solo mom to three (one with Down syndrome, one on the spectrum). Deaf and neurodiverse herself, she’s a gardening nerd who loves cats, Star Trek, and takes her coffee hot and black.

Institute on Disability



University of
New Hampshire

The Civic Language Perceptions Project

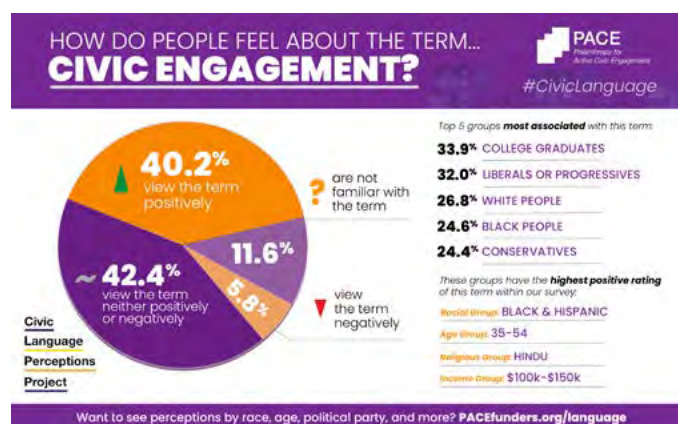
Language matters in the disability rights movement. Words have the power to change the way people think and feel. However, the words we choose may mean different things to different people. Recent survey data from the Philanthropy for Active Civic Engagement (PACE) suggests this may be especially true for words related to civic participation.

Civic participation can be a range of things meant to improve your community: volunteering, being involved in a neighborhood association, participating in the census, and more. It can also mean reaching out to lawmakers and voting. People with disabilities are approximately 20% of the voting population. Voter turnout for people with disabilities is growing faster than the general population, despite barriers to voting that organizations like the Disability Rights Center are working to address.

PACE launched the Civic Language Perceptions Project to understand associations with words related to civic engagement. You can view their findings here: <http://www.pacefunders.org/language-register/>. One of the demographic markers that PACE did not ask about was disability status. Let's help bring this important perspective to civic engagement work. Please take a moment to fill out the PACE survey and give your anonymous view of these words. Civil society is stronger when everyone participates!

PACE SURVEY
<https://bit.ly/3BGZUpU>

PACE (Philanthropy for Active Civic Engagement) and Citizen Data (2022). Civic Language Perceptions Project, National Survey data collected November 2021. Retrieved via [PACEfunders.org/Language](https://pacefunders.org/Language)





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Planning for the Future

Recently, Disability Rights Center-NH staff and Board came together to reflect upon and streamline our organizational mission and develop a new vision: simple, yet vital long-term goals for our day-to-day work. We are excited to share these with you below.

MISSION

Disability Rights Center – New Hampshire protects, advances, and strengthens the legal rights and advocacy interests of all people with disabilities.

VISION

We envision an inclusive, accessible, and just society where:

All are treated with dignity and respect,

People with disabilities live the lives that they choose; lives that are free from abuse, neglect, and discrimination,

People with disabilities have equal opportunity to participate fully in their community and enjoy their lives.

Help us put these goals into action

We are currently developing our new 5-year strategic plan and we want to hear from you. There are many ways you can share your thoughts, ideas, and suggestions with us:

1. Take our short [survey](#).
2. Attend one of our on-line Discussion Sessions (Zoom). Visit drcnh.org/uncategorized/planning-for-the-future for event dates and to register.
3. Send feedback to us directly or invite us to attend your meeting: [Email](mailto:stephaniep@drcnh.org) stephaniep@drcnh.org to make a request.

We'll also be planning several in-person events in the spring. [Subscribe](#) to our e-newsletter at drcnh.org for announcements.





NH Council on Developmental Disabilities

2½ Beacon Street, Suite 10

Concord, NH 03301-4447

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Disability Rights Center - NH

Protection and Advocacy System for New Hampshire

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Disability Rights Center – New Hampshire protects, advances, and strengthens the legal rights and advocacy interests of all people with disabilities.

WEBSITE: www.drcnh.org **EMAIL:** mail@drcnh.org

64 North Main Street, Suite 2

3rd Floor, Concord, NH 03301-4913

VOICE AND TDD: (603) 228-0432

1-800-834-1721

FAX: (603) 225-2077

TDD access also through NH Relay Service

VOICE AND TDD: 1-800-735-2964

Institute on Disability at the University of New Hampshire

twitter.com/unhiod **youtube.com/unhiod**

facebook.com/instituteondisability

The IOD promotes full access, equal opportunities, and participation for all persons by strengthening communities and advancing policy and systems change, promising practices, education, and research.

WEBSITE: www.iod.unh.edu

DURHAM OFFICE

10 West Edge Drive, Suite 101

Durham, NH 03824

PHONE: (603) 862-1769

RELAY: 711

FAX: (603) 862.0555

NH Council on Developmental Disabilities

Dignity, full rights of citizenship, cultural diversity, equal opportunity, and full participation for all New Hampshire citizens with developmental disabilities.

WEBSITE: www.nhcdd.org

2½ Beacon Street, Suite 10

Concord, NH 03301-4447

PHONE: (603) 271-3236

TTY/TDD: 1-800-735-2964

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The contents are solely the responsibility of the grantees and do not necessarily represent the official views of the grantors.

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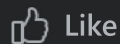
**Disability Rights Center - NH**

Published by Deodonne Dustin Bhattarai · July 8, 2022 ·

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Thankful for the NH Bar Foundation's continued support! Read our full press release at drcnh.org/press-releases...

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IOLTA GRANT

Final Report

June 1, 2022 to May 31, 2023

IOLTA Grant Revenue: 48,000.00

IOLTA Grant Expenses:

Staff Attorney Support:

Salaries	38,300.00
Payroll Taxes	2,930.00
Benefits	<u>6,770.00</u>
Total	<u><u>48,000.00</u></u>

Disability Rights Center - New Hampshire
Balance Sheet

Appendix E

	4/30/2023	5/31/2023	
Assets			
Citizens - Operating	117,426	149,285	31,859
Citizens - Bus. Money Market	61,509	61,512	3
MCSB - Operating	55,575	37,127	(18,448)
MCSB - Business Money Market	101,876	101,894	18
MCSB IOLTA Trust	50,001	36,503	(13,498)
Service Credit Union	100	100	0
Service Credit Union - MM	182,745	2,745	(180,000)
401(k) Forfeiture Account	3	3	0
Merill Lynch Investment Account	598,676	779,074	180,398
Symmetry Investment Account	682,337	673,972	(8,365)
Petty Cash	75	75	0
Federal Grants Receivables	134,798	119,876	(14,922)
IOLTA A/R	11,998	12,000	2
Legal Fees Receivable	-	-	0
Other Grants/Contracts Receiva	2,330	2,330	0
Deposits - Lease & Equipment	5,410	5,410	
Deposit - DRC Special FSA	2,000	2,000	0
Prepaid Expenses	32,242	32,223	(19)
Sub Total Assets	<u>2,039,101</u>	<u>2,016,129</u>	
Property and Equipment			
Computer Equipment	17,849	17,849	
Computer Equip - Depreciation	(17,806)	(17,806)	
Leasehold Improvements	10,000	10,000	
Leasehold Imprvmnts - Deprecia	(8,666)	(8,750)	
Total Property and Equipment	<u>1,377</u>	<u>1,293</u>	
Total Assets	<u><u>2,040,478</u></u>	<u><u>2,017,422</u></u>	
LIABILITIES AND CAPITAL			
Liabilities			
Accounts Payable	8,499	7,832	(668)
Payroll Taxes Payable	14	23	9
Employee Payables	1,583	1,611	28
Accrued Expenses	30,068	29,673	(395)
Other Grants/Contracts Deferred	-	36,502	
Olmstead Monitoring Reserve	50,000	-	
Client Retainers	-	-	
DDW Scholarship Donations	1,160	1,160	
EngAGING NH Donations	874	874	
Rolling Gourmet Gift Cards	688	688	
Partner Litigation Fund	61,509	61,512	
Total Liabilities	<u>154,396</u>	<u>139,875</u>	
Capital			
Retained Earnings	1,834,738	1,834,738	
Net Income	51,345	42,810	
Total Capital	<u>1,886,082</u>	<u>1,877,547</u>	
Total Liabilities & Capital	<u><u>2,040,478</u></u>	<u><u>2,017,422</u></u>	

DISABILITY RIGHTS CENTER - NH INC
Financial Summary Report
For the Eight Months Ended May 31, 2023

Unaudited

June 23, 2023	THIS	YTD	YTD	DOLLAR	Percentage	ANNUAL
	May-23	May-23	BUDGET	VARIANCE	Budget	BUDGET
					Expended	
<i>Month of Fiscal Year:</i>	8				66.67%	
Revenue						
Federal Grants	119,876	1,102,857	1,226,067	(123,210)	56.76%	1,943,101
Other Grants & Contracts	2,752	58,252	32,000	26,252	121.36%	48,000
Legal Fees	4,218	4,218	16,667	(12,449)	16.87%	25,000
Donations	403	10,345	10,000	345	68.96%	15,000
Interest Income	420	9,718	267	9,451		400
In Kind	0	11,000				7,500
Miscellaneous Income	0	1,042		1,042		0
TOTAL REVENUE FROM OPERATIONS	127,669	1,197,433	1,285,001	(98,568)		2,039,001
EXPENSES						
Salaries	88,975	795,086	869,451	(74,366)	60.96%	1,304,177
Payroll Taxes	6,657	60,056	68,100	(8,044)	58.79%	102,150
Employee Benefits	7,942	74,750	113,516	(38,766)	43.90%	170,274
401k	4,418	38,313	52,750	(14,438)	48.42%	79,126
Total Personnel Costs	107,992	968,204	1,103,817	(135,614)	58.48%	1,655,726
Recruitment	455	716	333	383	143.20%	500
Client Costs	264	2,289	10,000	(7,711)	15.26%	15,000
Travel	426	6,700	4,000	2,700	111.66%	6,000
Conferences & Training	725	12,401	13,333	(932)	62.00%	20,000
Community Outreach/Education	1,184	16,379	11,027	5,353	99.03%	16,540
Space	8,067	63,606	67,837	(4,231)	62.51%	101,756
Telephone/Internet/Web Hosting	599	5,250	5,309	(59)	65.92%	7,964
Office Supplies	765	7,895	12,933	(5,039)	40.69%	19,400
Office Equipment under \$5,000	0	811	4,000	(3,189)	13.52%	6,000
Postage	100	1,316	2,133	(818)	41.11%	3,200
Library	1,518	12,563	11,433	1,130	73.25%	17,150
Membership Dues	1,373	8,668	9,633	(964)	59.99%	14,449
Systems Maintenance	0	738	5,240	(4,503)	9.38%	7,860
Depreciation	83	667	0	667		-
Insurance-Office & Contents	93	761	1,089	(328)	46.59%	1,634
Insurance-Prof. Liability/Retirement Plan B	549	4,476	4,338	138	68.79%	6,507
Accounting/Benefits Administration	998	25,827	20,943	4,883	82.21%	31,415

DISABILITY RIGHTS CENTER - NH INC
Financial Summary Report
For the Eight Months Ended May 31, 2023

Unaudited

June 23, 2023	THIS	YTD	YTD	DOLLAR	Percentage	ANNUAL
	May-23	May-23	BUDGET	VARIANCE	Budget	BUDGET
					Expended	
PAIMI Advisory Council	0	923	600	323	102.61%	900
Board of Directors	527	1,534	6,667	(5,132)	15.34%	10,000
Professional Fees	2,065	37,193	53,333	(16,141)	46.49%	80,000
Fundraising	54	197	4,333	(4,136)	3.03%	6,500
Interest	0	0	0	0		
In Kind	0	11,000		11,000		7,500
Other/Miscellaneous	0	0	2,000	(2,000)	0.00%	3,000
<i>Total Non-Personnel Expenses</i>	19,843	221,909	250,517	(28,608)	57.90%	383,275
<i>Total Expenses</i>	127,836	1,190,113	1,354,334	(164,221)		2,039,001
<i>TOTAL SURPLUS/(DEFICIT) FROM OPERATIONS</i>	(167)	7,320	(69,333)	65,653		
<i>Investments Revenue</i>						
Dividends on Investments	802	9,307	3,867	5,441		5,800
Unrealized Gain/(Loss) on Investments	(8,681)	24,417	0	24,417		0
Gain/(Loss) on Investments	0	5,606	0	5,606		0
Gain/(Loss) on Sale of Assets	0	0	0	0		0
	(7,879)	39,330	3,867	35,463		5,800
<i>Investments Expenses</i>						
DRC Investment Fees & Expenses	486	3,840	3,867	(27)		5,800
<i>TOTAL GAINS/LOSSES & INVESTMENT</i>	(8,365)	35,490	0	35,490		0
<i>TOTAL AGENCY SURPLUS/(DEFICIT)</i>	(8,532)	42,810	(69,333)	101,143		

Federal P & A Grant Expenditures
FY 2023
May 31, 2023

	PADD	PAIMI	PATBI	PAVA	PAIR	PAAT	PABSS	PABRP*	PAPH	Restricted Total	Unrestricted Other	Grand Total
Program Reserves	-	875,035					118,772					
Projected Funding												
FY 23 Grant Awards	414,977	450,000	50,000	119,365	186,177	50,000	120,000	105,253	104,000	1,599,772		1,599,772
FY 23 Additional Funds		23,700		21,678	9,718					55,096		55,096
FY 22 Carry over	34,398	144,322	31,202	91,088	575	15,510	70,626		94	387,815		387,815
Total Grant Funds Available	449,375	618,022	81,202	232,131	196,470	65,510	190,626	105,253	104,094	2,042,683		2,042,683
Other Income										-	-	-
Donations										-	15,000	15,000
Interest										-	400	400
	449,375	618,022	81,202	232,131	196,470	65,510	190,626	105,253	104,094	2,042,683	15,000	2,058,083
YTD Actual												
Federal Funds Expended	246,354	342,774	28,933	132,886	149,277	18,968	66,182	95,246	22,238	1,102,857		1,102,857
Donations										-	10,345	10,345
IOLTA Grant										-	2	2
Other Revenue	3,500	4,425	73		377	72				8,446	66,065	74,510
Interest Income										-	9,718	9,718
	249,854	347,199	29,006	132,886	149,654	19,040	66,182	95,246	22,238	1,111,303	86,130	1,197,433
YTD Expenditures												
Salaries	168,588	240,411	20,225	91,469	107,083	13,159	43,697	63,472	16,548	764,652	30,434	795,086
Fringe Benefits	37,357	52,977	4,632	18,728	23,119	3,205	10,873	14,813	2,568	168,272	4,846	173,118
Staff Development	2,248	2,331	331	1,434	947	331	3,233	1,545	2	12,400	1	12,401
Client Costs & Comm. Outreach	2,794	3,316	258	2,996	1,664	201	640	272	138	12,278	6,384	18,662
Board/Advisory Expense	415	1,426	44	114	187	44	103	103	22	2,458	-	2,458
Operational Expenses	38,451	42,519	3,517	18,146	16,654	2,101	7,637	15,042	2,959	147,026	41,362	188,388
Total Expenses	249,854	342,981	29,006	132,886	149,654	19,040	66,182	95,246	22,238	1,107,085	83,028	1,190,113
Revenue Over Expenses	-	4,218	-	-	-	-	-	-	-			
Percentage of Budget Spent	54.82%	55.46%	35.63%	57.25%	75.98%	28.95%	34.72%	92.25%	28.20%			
Percentage of Fiscal year gone	66.67%	66.67%	66.67%	66.67%	66.67%	66.67%	66.67%	83.33%	50.00%			
Remaining Federal Funds	203,021	275,247	52,269	99,245	47,193	46,542	124,444	10,007	81,856	857,969		