



Disability Law Center's Self-Advocacy Materials

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Self Determination

This document is designed for people with disabilities.

The information is about your legal rights and how to advocate for yourself as a resident in Massachusetts.

Contact us to request this information in an alternative format.

617-723-8455
800-872-9992
mail@dlc-ma.org

Funding

DLC receives funding from government grants, private foundations, and individual contributions. For details about our funding and programs, please visit our website:

<https://dlc-ma.org>



Community Integration

You Will Learn About:

- Community Integration
- Your Rights under Community Integration
- The Complaint Process

This document includes general information about legal issues and is intended to be used for informational purposes only. These informational materials should not be taken as legal advice, and do not create an attorney-client relationship. The outcome of any particular matter will depend on a variety of factors. For specific legal problems you would need to contact an attorney.

Community Integration

What Is Community Integration?

Community integration is the principle that people with disabilities can and should live in their community and participate as members of their community. In other words, people with disabilities should be included in their communities and not forced to live or receive services in a segregated, or separate, place. However, too often, people with disabilities still live or receive services in segregated places or do not have the opportunity to participate meaningfully in their communities.

Community integration includes opportunities to be physically in one's community, but it includes more. Integration into one's community means being a member of the community and engaging with other people. As a member of a community, people develop relationships with other people in and have choices about how they want to be involved with their community.

Some people may be included and integrated into their communities by working in an integrated setting with people without disabilities. Some people may also be included and integrated into their communities by participating in volunteer, social or recreational activities in the community. The specifics of how a person is included and integrated into his or her community depend on that person's interests, strengths, and needs for support.

Your Rights under Community Integration

What Are My Rights under Community Integration?

You have the right to live in the community and the right to receive supports to help you participate in the community. **There are laws and regulations that protect your rights.** Below is an explanation of some of these laws and regulations.

The Department of Developmental Services (DDS) and the provider agency staff that provides your services have to follow **the DDS regulations**. These regulations, or rules, require that your services and supports provide opportunities for community integration.

The Americans with Disabilities Act also helps protect your rights. This law explains that you have the right to work, live and receive other services in the most integrated setting that is appropriate for you, if that is what you want. DDS and the provider agency staff that provides your supports must follow this law.

DDS and provider agency staff also have to follow the rules for **Home and Community Based Services (HCBS) Waivers** when providing services through an HCBS waiver. You may receive some of your services through a DDS Adult HCBS waiver. These rules for providing HCBS waiver services include your right to have the opportunity to receive services in integrated, community settings and to develop relationships with people in the community. These rules also include your right to self-determination and to make choices about your life, activities, and services.

A person may live in a group home, or community residence, and not get into the community for shopping and fun activities very much. A person may work at a facility only for people with disabilities but want to work in an integrated setting with people with and without disabilities. A person may attend a day program and spend most, if not all, of the day at the program without participating in activities in the community. These are just some examples. The people in these examples may feel their program or staff is violating their rights about integration into the community.

The Complaint Process

What Can I Do If I Have A Complaint?

If you are not getting into your community or are not having opportunities to be a part of your community, you should document it. This means that you should try to write down the days you go into the community and what you do. This can be helpful in showing you are not getting opportunities for integration into the community.

If you have a DDS Service Coordinator, you should tell this person about your concerns. Your Service Coordinator may be able to help you resolve the problem.

You can also raise your complaint as part of your Individual Support Plan (ISP) process. For more information about your ISP, see 'Individual Support Planning' under information about the Department of Developmental Services (DDS). If your concerns are not resolved through the ISP process, you can appeal your ISP. For information about appealing your ISP, see 'DDS Appeals' under information about the Department of Developmental Services (DDS).

You can speak with the Human Rights Officer or Human Rights Coordinator for the provider agency that provides your supports. They can assist you with filing a complaint or a grievance with the agency's Human Rights Committee. DDS also has a Director for Human Rights and Human Rights Specialists for each DDS Region who may be helpful. To reach the Director for Human Rights, you can call 617-624-7738.

If you want to file a complaint about violations of the Americans with Disabilities Act and community integration, you can file a complaint with the Department of Justice. You have to complete what is called a Title II complaint form. To get this form, go to www.ADA.com or call 800-514-0301. You can also email usma.civilrights@usdoj.gov, or call the U.S. Attorney's Office at 617-748-3100 and ask to speak to a civil rights intake specialist.

You can also call the Disability Law Center (DLC) if you need legal representation or advice. The phone number is 1-800-872-9992 or 617-723-8455. Please call from 9:00 am to 5:00 pm, any day except Wednesday. Unfortunately, we cannot help everyone who calls us. If DLC cannot provide you with either legal representation or advice, we may refer you to other advocates or to government agencies.