

**VOCATIONAL REHABILITATION PROGRAM
SHOSHONE-PAIUTE TRIBES
RESOURCE MANAGEMENT BUILDING
P.O. 219
OWYHEE, NEVADA 89832
PHONE: 775-757-2921
FAX: 775-757-2910**



SPTVR

**SHO-PAI TRIBES
VOCATIONAL REHABILITATION PROGRAM**

**CONSUMER INFORMATION
HANDBOOK**



The Sho-Pai Tribes Vocational Rehabilitation Program, (SPTVR) ... an employment program for American Indians with disabilities. The consumer focus is on issues relating to disabilities, self-sufficiency, informed choice, and employment ethics. SPTVR consumers are provided information regarding the Americans with Disability Act and the Rehabilitation Act.

DISCLOSURE

All requests for consumer information that does not come directly from the consumer, must be accompanied by a release form supplied by requesting Department.

All persons who are allowed access to consumer records are prohibited from re-disclosing this information to anyone else without a consumers specific, informed, written consent.

THE 1998 AMENDMENTS TO THE REHABILITATION ACT OF 1973

It is the policy of the United States that all programs, projects and activities receiving assistance under this Act shall be carried out in a manner consistent with the principle of:

1. Respect for individual dignity, personal responsibility and the pursuit of meaningful careers, based on informed choice of individuals with disabilities.
2. Respect for privacy, right and equal access (including the use of accessible formats) of an individual.
3. Inclusion, integration and full participation of individuals.
4. Support for the involvement of a parent, a family member, a guardian, an advocate or an authorized representative, if the individual with a disability desires, requests, or needs such support.
5. Support for individuals and systematic advocacy and community involvement.

CONFIDENTIALITY

The Rehabilitation Act, 1973 mandates Vocational Rehabilitation Programs to provide information and services to eligible individuals that are seeking employment.

The Information Practices Act of 1977, California Civil Code, Sections 1798 et. Seq., guarantees you certain rights.

Americans with Disabilities Act, (ADA) Equal Opportunity employer/Program, Nevada/Idaho Department of Economic Security, pamphlet provided upon request.

The Rights to Privacy

Only information about you that is relevant and necessary to carry out the purpose of the program will be collected. This information will be used only in processing your program of services, including resolving client complaints or appeals.

The Rights to Access

You may request any records about you that are maintained by the program. The program shall promptly let you and your chosen representative inspect, or shall provide you, copies of any document or items of information in your case record, at no charge.

The Right to Request an Amendment to Records

You can seek correction of any misinformation in your records by making the request to the SPTVR counselor. The request should be in writing and as specific as possible. IF the SPTVR supervisor does not agree with your amendment to the record, you may request an administrative review or hearing. If the administrative review or hearing does not agree with your amendment to the record, you may submit a written statement of reasonable length, with your reviews of the disputed information. This statement will be put in your records.

TABLE OF CONTENTS

| | |
|---|-----------|
| Mission Statement | 4 |
| Introduction | 5 |
| Maps of Service Area | 6 |
| Services Provided by the FMVR Program | 8 |
| Roles & Responsibilities | 10 |
| Eligibility | 11 |
| Application Process | 12 |
| Planning/IPE | 14 |
| Consumers' Responsibilities | 16 |
| FMVR Counselors' Responsibilities | 17 |
| Case Closure | 18 |
| Your Rights and Remedies | 19 |
| Fair Hearing Process | 20 |
| What is the Client Assistant Program (CAP) | 21 |
| Discrimination | 22 |
| Order of Selection | 24 |
| Confidentiality | 26 |
| Disclosure | 27 |

Mission Statement

The Sho-Pai Tribes Vocational Rehabilitation Program (SPTVR) assists American Indians with Disabilities who live in the ID/NV geographic service area. The objective of SPTVR is to provide vocational rehabilitation services to consumers through informed choice where an individual's strengths, priorities, concerns, and abilities are respected, and the outcome is gainful employment in a competitive market.



Please direct any and all questions regarding the order of selection to your SPTVR counselor.

How is the priority category established?

1. Level of severity of an individual's disability: most severely disabled, severely disabled, and disabled. The most severely disabled will be served first followed by severely disabled and then by the disabled.
2. Individual's level of severity of their disability, based on numerical score of significance scale. The significance scale is a "tool" used by VR Programs to determine the impact of an individual's disability on ten functional capacity areas, such as work skills and work tolerance, and the impact on an employment outcome. The highest possible total significance scale score is Fifty (50).
3. Date of application. For example, if two people with severe disabilities apply the one with the earlier application date will be served first.

ORDER OF SELECTION

Federal law requires vocational rehabilitation agencies to have an order of selection policy in the event of restricted funding that would prevent service to all eligible individuals who apply for services. The order of selection is used to determine the order in which individuals with disabilities will be provided services.

If the Vocational Rehabilitation program is operating under an order of selection when an individual applies for services, the TVR Program will accept and process the application and make a determination of eligibility for such services.

If an individual is determined eligible a priority category will be established and the eligible individual will be placed on a waiting list. As funding becomes available consumer services will be provided according to the priorities discussed below.

If you are placed on a waiting list, you will be contacted every 90 days and will be kept informed of your priority category.

Shoshone-Paiute Tribes Vocational Rehabilitation

INTRODUCTION

The Sho-Pai Tribes Vocational Rehabilitation, (SPTVR) Handbook is a guide through the requirements of becoming a SPTVR consumer. The Handbook also provides information on services and consumers rights. Gainful employment and self-sufficiency is the expected outcome for consumers of the SPTVR program.

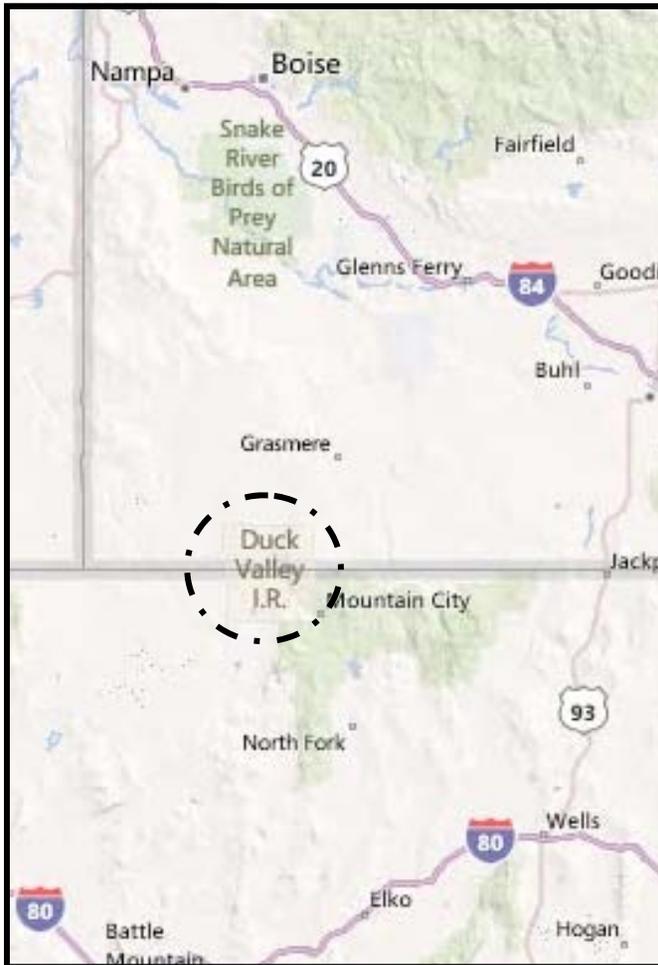
The Rehabilitation Act of 1973, as amended in 1998 lists the following services which apply to Tribal Vocational Rehabilitation, (TVR) Programs.

Consumers will:

- Learn about their rights as respected members of society
- Learn about their responsibilities and role between consumer and counselor
- Learn about teamwork between consumer and counselor
- Be provided information regarding services offered and resources that are available to assist Consumers in making informed choices with regard to the rehabilitation program and employment outcomes.

SPTVR SERVICE AREA FOR OWYHEE, NEVADA

Below is the service area within the Boundaries of the Duck Valley Indian Reservation, town of Owyhee, Nevada. The location of the SPTVR Office in the Resource Management Building, located across from the Sho-Pai Tribal Courthouse and the Human Development Center (HDC).



1. Request a meeting either orally or in writing with the SPTVR Program Director or the Equal Opportunity Officer Designee to discuss your concern and suggest how you feel the problem can be resolved; or contact the Department of Education, Office of Civil Rights, to discuss your concern or to file a complaint.

2. If you are not satisfied with the decision of SPTVR Program Director, the Director will forward your complaint for review and resolution or investigation by the Department of Education, Office of Civil Rights.

For discrimination counseling and complaint filing, please contact:

**Vocational Rehabilitation Program
Shoshone-Paiute Tribes
Resource Management Bldg., P.O. Box 219
Owyhee, Nevada 89832**

Phone: 775-757-2921

Fax: 775-757-2910

Or

**U.S. Department of Education
Office of Civil Rights
50 United Nations Plaza
San Francisco, CA 94102
(415) 556-4275**

The Tribal Vocational Rehabilitation Program:

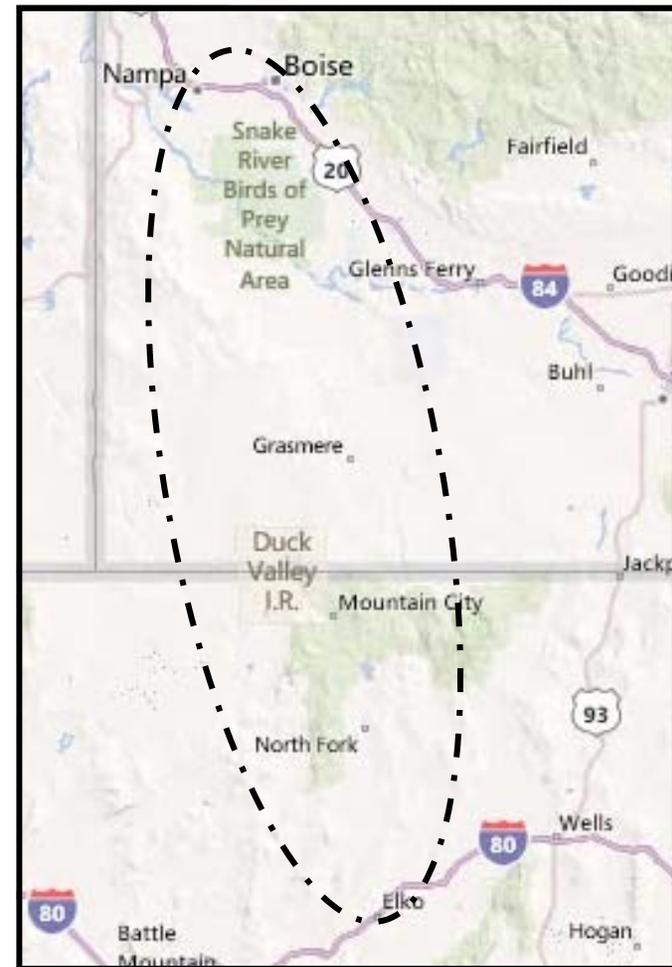
- Is not an employment agency
- Is not a medical program
- Does not pay for goods or services that are provided by other programs
- Does not provide goods or services that are not related to getting or keeping a job
- Does not discriminate
- Has regulations that do not permit the payment of daily living costs
- Does not pay any legal costs, such as legal advice, court fines, DMV fines, bail bonds, or restitution

Discrimination

- Each consumer and potential consumer has diversified needs based on their disability, age, or gender and will be serviced according to those discriminating factors.
- It is the SPTVR Program's policy to provide consumer services to those qualified persons with disabilities without discrimination based on a physical or mental disability, age, gender, color, ethnic group, race, national origin, ancestry, religion, medical condition, sexual orientation or marital status.
- A disagreement between you and your SPTVR counselor is not a discriminatory act, unless the disagreement is based upon your Native American status.
- If a disagreement with an action or lack of action by the SPTVR Program is based on one of the protected statuses, you have the right to initiate an informal discrimination complaint process within 180 days from the date of the alleged discrimination, by following these steps:

SPTVR SERVICE AREA IDAHO/NEVADA

The map below is the area within which the SPTVR Program will provide services. It covers the area from Elko County, Nevada Owyhee, Elmore, Ada, and Canyon Counties, Idaho. The area is roughly from Elko, Nevada to Caldwell, Idaho.



SERVICES PROVIDED BY THE SPTVR PROGRAM MAY INCLUDE:

- Counseling and guidance
- Medical services and equipment
- Additional assessments through medical specialty exams, psychological and vocational testing, as needed
- Vocational training and education
- Referral to other community resources
- Telecommunications, sensory and other technological aids and devices
- Transportation assistance for job related activities
- Assistance with maintenance costs job development and placement
- Supported employment services, including job placement and job coaching

WHAT IS THE CLIENT ASSISTANCE PROGRAM (CAP)?

The Client Assistance Program (CAP) can help you to answer questions and to work with the SPTVR Program Staff.

CAP is not a substitute for the Appeal's process. CAP is designed to help you understand your rights and responsibilities, to assist you in presenting your concerns to the SPTVR staff and to work towards a resolution. CAP can also help you request and prepare for an administrative review or the Fair Hearing process.

If you would like CAP assistance, ask your SPTVR counselor for your local CAP Advocate's name and phone number, or call toll free 1(800) 952-5544 or (800) 598-3273, 24 hours a day.

ADDRESSES

CLIENT ASSISTANCE PROGRAM IDAHO

Boise Office
Client Assistance Program
4477 Emerald St, Suite B-100
Boise, Idaho 83706-2066
208-336-5353
1-800-632-5125

CLIENT ASSISTANCE PROGRAM NEVADA

2800 East St. Louis Avenue
Las Vegas, Nevada 89104-4227
Phone: 702-486-6688 or
1-800-633-9879
FAX: 702-486-5418
E-mail: DETRACAP@nvdetr.org

FAIR HEARING PROCESS

A Fair Hearing may be requested, at any time, and this is your opportunity to present your case to a Vocational Rehabilitation Officer. At the hearing, you have the right to present information to the Fair Hearing Officer and explain why you feel a decision made by the SPTVR program should be changed. The SPTVR Program will also provide the Fair Hearing Officer information regarding your case. After the hearing your case will be reviewed, and you will be provided with a written final decision.

The Fair Hearing will be scheduled within 45 days of your request, unless you agree to a delay. You have the option of appearing in person, sending a representative or presenting only written information.

- Job seeking skills training
- Work tools, equipment, and license fees
- Work clothes, uniforms and safety equipment
- Personal assistance services
- Services for family members
- Self-employment services
- Post employment services

In most cases, you will be the one selecting these services. However, SPTVR must approve the purchase of any goods or services in writing, and this must be in accordance with a consumer's IPE. Funds are not available to consumers until their program has been developed in the form of an approved IPE. Please talk with your SPTVR counselor if you have any questions.

ROLES & RESPONSIBILITIES

Everyone is different with different dreams and goals; therefore, every person's plan of employment will be different. Your plan will be cooperatively designed by you and your counselor, and again each person's plan will be individualized. SPTVR consumers have the lead role in creating and carrying out their plan of action. This plan is called an IPE, an Individual Plan of Employment. During the development of your IPE you will be provided the necessary information in order for you to make an informed choice toward your future employment goals. Your counselor will also direct you to the appropriate resources in order for you to reach your goals.

BUILDING A TEAM

You and your SPTVR counselor will work together as a team towards a unique personal and professional goal. Furthermore, consumer and counselor, as a team have a responsibility toward the consumer's vocational rehabilitation process.

DOCUMENTATION OF DISABILITY

Documentation of disability is an important requirement which involves obtaining medical and school records or arranging for examinations and evaluations. The SPTVR counselor uses the gathered information to determine eligibility and to help consumers in the development of an Individual Plan of Employment, (IPE). Mediation by a SPTVR counselor with employers, other VR counselors, legal representatives, and/or a family member on a consumer's behalf may be required, and this necessitates consumer authorization.

YOUR RIGHTS AND REMEDIES REGARDING YOUR VR PROGRAM

The primary goal and desire of the Vocational Rehabilitation Staff is to assist consumers in achieving self-sufficiency and successful employment. If questions or problems arise while you are involved with the SPTVR program, please address them to the counselor. You may bring a family member or representative with you at any time to meet with the SPTVR program staff.

Most misunderstandings can be resolved by talking them over with the SPTVR counselor. If the issues cannot be resolved between consumer and counselor, a meeting will be arranged between the consumer and the SPTVR Director.

If the issues remain unresolved after exhausting the SPTVR Internal Review you may request an Administrative Review Meeting with the SPTVR Tribal Administrative Assistant

This is your opportunity to present information that explains why you feel the SPTVR should change a decision. SPTVR is also allowed to provide information to the Administrator. The Administrative Review Meeting will be scheduled within fifteen (15) calendar days after delivery of your request. You will be notified in writing of the date, time and location of the Meeting. You will also be notified of the decision in writing within ten (10) calendar days after the Administrative Review Meeting.

CASE CLOSURE

Your case may be closed for a variety of reasons. The best reason, of course, would be if you have been successfully employed for at least 90 days in a position consistent with your plan. You are eligible for post-employment services for twelve (12) months after your case is closed.

Other reasons for closure:

- If a consumer indicates they are no longer interested in the services of the SPTVR Program;
- If the SPTVR counselor is unable to locate or contact consumer;
- If a consumer is no longer available to receive services;
- If a consumer cannot achieve suitable employment;
- If a consumer fails to cooperate.

Responsibility of SPTVR to SSA with regard to closure:

If a consumer is currently receiving SSA benefits and has failed to achieve employment, SPTVR is required to submit a disclosure report regarding information on a consumers' status to the Social Security Administration.

Shoshone-Paiute Tribes Vocational Rehabilitation

ELIGIBILITY

The eligibility process is one of information gathering and review by the SPTVR counselor and this may take up to or exceed 60 days to complete. If this process takes more than 60 days you will be contacted by your SPTVR Counselor.

Determining eligibility:

1. Are you a member of a Federal or State recognized tribe?
2. Do you live in the SPTVR geographic service area of Idaho/ Nevada? (see page 6-7)
3. Does an individual have a physical, mental, learning, hearing, or vision, impairment that makes it difficult for an individual to obtain or keep a job
4. Would services from SPTVR help the individual become successfully employed?

In some situations, an individual's disability may be too severe to benefit from the SPTVR program. However, before a final decision is drawn outside evaluations and technological resources are considered. For instance, a psychological vocational evaluation, adaptive technology research, and accommodations and evaluations at work sites may be utilized to assess the more severely disabled. These procedures are designed to better identify an individual's vocational abilities.

APPLICATION PROCESS

If you are a member of a Federal or State recognized tribe, live within the SPTVR geographical service area of Idaho/Nevada, and you have a disability, you may apply for SPTVR services. The application process begins with a referral either by your-self, a family member, or an organization.

Once you have applied for services, your SPTVR Counselor will evaluate and determine eligibility. If required, you will be sent for additional vocational assessment. The eligibility process will be within but no later than 60 days from the date of application. To achieve Vocational Rehabilitation is a joint effort with shared responsibilities between you and your counselor. And, if you are to achieve an employment outcome you must be an active participant in the application process.

SPTVR Counselors' Responsibility:

- Inform you of your rights and responsibilities, including your right to appeal and petition a Tribal Hearing and counseling from the Client Assistance Program (CAP)
- Coordinate the services needed for your IPE
- Provide counseling and guidance
- Provide information on the potential resources that are available
- Revise your IPE if needed
- Notify you prior to any major changes that affect your plan (including case closure)
- Keep consumer's information confidential
- Make sure consumers are aware that any goods and services cannot be purchased by consumers with reimbursement in mind.

Consumers' Responsibility:

- Seek assistance from outside resources to pay for service, such as financial aid (scholarships, grants, loans), insurance benefits and other state or tribal agencies
- Communicate with your SPTVR counselor about any problems or changes; for example, a change in address and medical or financial status
- Attend and fully participate in training programs and classes
- If in school, provide reports of your progress and your grades to your SPTVR counselor
- Fully participate in job search and job placement activities
- Talk with SPTVR counselor if you are experiencing a problem that is affecting your program

The process can move along quickly and smoothly if you...

- Inform your counselor of existing information about you and your disability
- Assist your SPTVR counselor to obtain additional information when needed
- Ask questions if you don't fully understand something that has been explained
- Interact with your counselor by suggesting and discussing occupations or a career path which is suitable for you
- Keep all appointments and complete tasks your SPTVR counselor suggests
- Inform your SPTVR counselor of any change in your address, telephone number or other contact information
- Participate in creating your Individual Plan for Employment, (IPE)
- Follow your plan of action

PLEASE remember that supplying information in a timely manner will speed up your eligibility determination. **PLEASE**, If you cannot make an appointment notify your counselor in advance or when it becomes known to you that you will not be able to keep an appointment

PLANNING

Deciding on an employment goal is an important step, and goal setting may take some time to develop. You and your SPTVR counselor will research and explore your unique strengths, resources, priorities, interests and needs, including the need for supported employment. Your SPTVR counselor will be able to suggest and provide career exploration opportunities that will help in making an informed choice about employment goals.

To assist in the planning process the SPTVR Program will use information that you and other agencies of service provide.

YOUR INDIVIDUALIZED PLAN FOR EMPLOYMENT (IPE)

Once your employment goal has been determined, you and your SPTVR counselor will agree on and develop a written plan for reaching your goal. This is your IPE, and it will include:

- Your employment goal
- Your objectives to meet your goal
- Your responsibilities as the key person in carrying out your IPE
- The SPTVR counselor will assist in the development of your IPE
- Services needed to reach your goal, includes the services from other agencies, if available.