

STATEWIDE AGREEMENT
AMERICAN INDIAN VOCATIONAL REHABILITATION SERVICES
And
DEPARTMENT OF SOCIAL AND HEALTH SERVICES
DIVISION OF VOCATIONAL REHABILITATION
And
DEPARTMENT OF SERVICES FOR THE BLIND

In the spirit of offering services to enhance the independence of individuals with disabilities in Washington State the American Indian Vocational Rehabilitation Services (AIVRS), the Department of Services for the Blind (DSB) and the Washington Division of Vocational Rehabilitation (DVR) agree to work cooperatively to facilitate access to vocational rehabilitation services for American Indians and Alaskan Natives with disabilities who want to work. This Agreement represents the cooperation, coordination, and collaboration necessary to create an effective service delivery partnership designed to increase employment opportunities for those served by our programs.

The parties to this Agreement commit to upholding and promoting the values and principles contained in the Rehabilitation Act of 1973, as amended. DVR, DSB, and AIVRS will meet all required obligations and responsibilities contained in their respective federal, tribal and/or state laws and regulations.

This Agreement will not abridge any powers, rights or responsibilities under applicable federal, tribal, and/or state laws, state and/or constitutions, standards, administrative rules or Executive Orders of either party. All activities under this Agreement will be carried out in accordance with these conditions, laws, rules, standards, and orders.

PARTIES TO THE AGREEMENT

- ◆ Skokomish Indian Tribe/Chehalis Indian Tribe Vocational Rehabilitation Program
- ◆ Colville Confederated Tribes VR Program
- ◆ Cowlitz Indian Tribe Vocational Rehabilitation Program
- ◆ Lummi Nation Vocational Rehabilitation Program
- ◆ Nisqually Indian Tribe / Squaxin Island Tribe Vocational Rehabilitation Program (South Puget Intertribal Planning Agency)
- ◆ Stillaguamish Tribe of Indians – North Intertribal Vocational Rehabilitation Program
- ◆ Samish Nation Vocational Rehabilitation Program
- ◆ Yakama Nation Vocational Rehabilitation Program
- ◆ Spokane Tribe of Indians Vocational Rehabilitation Program
- ◆ Washington Department of Services for the Blind
- ◆ Washington Division of Vocational Rehabilitation

SERVICE POPULATION

The Congress of the United States mandates DVR and DSB to serve all eligible individuals with disabilities within Washington State, including American Indians and Alaskan Natives who are members of federally recognized tribes.

The Congress of the United States mandates an AIVRS to provide vocational rehabilitation services to eligible American Indians and Alaskan Natives with disabilities living on or near a reservation. The defined service area and defined service population shall be established by the individual AIVRS.

PURPOSE

All AIVRS funded by Rehabilitation Services Administration (RSA) are required to have a written cooperative agreement with DVR and DSB.

All parties to this Agreement have a responsibility to provide quality vocational rehabilitation services to individuals with disabilities, to assist such individuals to become more empowered, more independent and economically self-sufficient through employment outcomes which provide each individual meaningful, gainful, and sustained work. Consistent with this responsibility, the goal of this Agreement is to ensure:

1. American Indians and Alaskan Natives receive the fullest scope of vocational rehabilitation services possible;
2. American Indians and Alaskan Natives are offered an informed choice of program, services and service providers;
3. A cooperative and service-oriented relationship is established and maintained between DVR, DSB and AIVRS; and
4. The individual programs and their consumers benefit from shared expertise, shared training, professional collaboration, and the enhanced capabilities that grow from this relationship.

This Agreement will not place restrictions on any program in the delivery of vocational rehabilitation services to American Indians and Alaskan Natives with disabilities, nor will it abridge the absolute rights of the individuals receiving services.

SHARED VALUES AND PRINCIPLES

Parties to this Agreement agree to the following shared values and principles:

- ◆ AIVRS, DSB and DVR are equal partners with special sets of expertise in serving consumers successfully.
- ◆ Mutual respect for cultural contributions, traditions and values.
- ◆ The invaluable contributions and wisdom of our elders.
- ◆ Independence for people with disabilities.
- ◆ Individuals with disabilities can work.
- ◆ Informed choice.
- ◆ Cooperation among partners improves and expands employment opportunities for consumers of vocational rehabilitation programs.

- ◆ Successful vocational rehabilitation of American Indians and Alaskan Natives with disabilities requires the provision of professional and culturally appropriate services.

PROGRAM COORDINATION

All parties to this agreement will:

- ◆ Cooperate in providing vocational rehabilitation services to American Indians and Alaskan Natives with disabilities to ensure full access to all available resources.
- ◆ Jointly serve eligible American Indian and Alaskan Natives consumer cases when it is in the best interests of the individual.
- ◆ To the maximum extent possible, DVR and DSB will use existing information provided by the AIVRS to expedite eligibility determination.
- ◆ Obtain necessary releases of confidential information prior to sharing information about an individual with other parties under this Agreement.
- ◆ Provide consumers with appropriate referral information when they may be eligible and/or may prefer to co-enroll in vocational rehabilitation services from another party to this Agreement.
- ◆ Provide AIVRS and state vocational rehabilitation counselors with adequate time to work cooperatively on cases where an individual is being jointly served by both programs.
 - Programs will maintain separate case service records.
 - Invite respective vocational rehabilitation counselors to participate in case management activities at the earliest stage, identification of functional barriers to employment, plan development meetings, visits to work sites, and marketing outreach efforts.
 - Individualized Plans for Employment will, when appropriate, be jointly developed and accepted by each partner and consumer to assure delivery of a comprehensive level of services in a coordinated manner.
 - Make timely collaborative decisions on matters which affect the progress of consumer services, and ensure services are not duplicated.
 - Accommodate AIVRS and state vocational rehabilitation counselors with office space, as needed, to meet with American Indians and Alaskan Natives who wish to receive services at an AIVRS or state vocational rehabilitation office other than the office where the individual's vocational rehabilitation counselor is assigned.
- ◆ Agree that consumers maintain the right to seek assistance through established channels, including, but not limited to, the Client Assistance Program, Fair Hearing, Administrative Review and, where applicable, tribal courts.
- ◆ Work together to capture Social Security Reimbursement for all program expenditures.

- ◆ DVR and/or DSB may enter into a fee for services contract with the AIVRS to serve individuals who live within the program's established service delivery area but not within the AIVRS's service population.
- ◆ AIVRS, DVR and/or DSB will work together to identify and designate a VRC as tribal liaison within each office and/or area to meet with American Indian and Alaskan Native consumers and collaborate on consumer needs.
- ◆ AIVRS, DVR, and/or DSB will support staff, in particular liaisons, in attending each other's training opportunities and meetings (e.g. 7.01 meetings).
- ◆ DVR and DSB are committed to working together with AIVRS partners to identify and recruit qualified tribal members as applicants for current and future openings at all levels in the State VR programs. DVR and DSB will continue to develop job shadowing, internship and practicum opportunities to increase employment opportunities for tribal members.
- ◆ DVR and DSB are committed to providing mentoring, training, and promoting qualified tribal members to be successful in employment at all levels in the State VR programs.
- ◆ In the event that AIVRS client service resources are no longer available, AIVRS, DVR and/or DSB partners will have a conversation about the availability of DVR and/or DSB resources to avoid interruption of client services. **See Appendix A, Tribal Contingency Plan.**

EXCHANGE OF EXPERTISE

AIVRS, DSB and DVR will:

- ◆ Meet at least annually to review program, service, or other issues that may arise.
- ◆ Maintain open communication to ensure program and consumer information of mutual concern is shared:
 - Technical or legal questions that arise requiring professional consultation.
 - Computer technology related to providing vocational rehabilitation services, including the shared data systems.
 - Current information regarding Community Rehabilitation Programs and Independent Living Providers certified to provide services to consumers.
- ◆ Exchange training, consultation, technical assistance, assessment tools, and other program information to enhance service delivery to American Indians and Alaskan Natives with disabilities.
 - Parties will consult with one another in the development of joint curriculum for training.
 - Information on training opportunities for staff and consumers will be disseminated to all parties.

- AIVRS, DSB and DVR will share information regarding training opportunities and include staff in training whenever possible and will offer training that will maximize cultural competence and enhance ability to better meet the needs of American Indians and Alaskan Natives with disabilities.
- Regional training sessions will incorporate training specific to the interaction between AIVRS, DVR, and DSB.
- Assist in accessing work related information through the Social Security information process.

MODIFICATIONS AND TERMINATION OF THIS AGREEMENT

This Agreement is intended to be a living document, changing as necessary, to meet the needs of the parties and the service population. Amendments, revisions and addenda to this Agreement shall be entered into with mutual agreement of the parties noted.

This Agreement may be terminated by any party; such termination must be delivered, in writing, (30) thirty days in advance, to all parties. By such termination, no party may nullify obligations incurred prior to the effective date of the termination.

Directors of Tribal Vocational Rehabilitation programs, DVR and DSB will meet annually to review the MOU and consider amendments. These meetings should include: DVR and DSB Directors, DVR Area Managers and DSB Field Services Team Leaders, Field Services Chiefs, DVR Statewide Tribal Liaison; and selected Vocational Rehabilitation Supervisors/Tribal Liaisons.

TERM

This cooperative Agreement shall take effect from the date of signature and shall continue, without disruption, until an annual review is completed and agreed upon by all parties, unless amended as noted above.

GENERAL PROVISIONS

Nothing in the Agreement shall be construed as a waiver of the sovereign immunity of the tribes.

Signature by DVR, DSB and each AIVRS official will engage the MOU for that AIVRS.

If any element of this Agreement is determined to be invalid, the remainder of the provisions within this Agreement will not be affected.

SIGNATORIES TO THE AGREEMENT

- ◆ Chehalis Indian Tribe / Skokomish Indian Tribe Vocational Rehabilitation Program
- ◆ Colville Confederated Tribes VR Program
- ◆ Cowlitz Indian Tribe Vocational Rehabilitation Program
- ◆ Lummi Nation Vocational Rehabilitation Program
- ◆ Nisqually Indian Tribe / Squaxin Island Tribe (South Puget Intertribal Planning Agency Vocational Rehabilitation Program)

- ◆ Stillaguamish Indian Tribe – North Intertribal Vocational Rehabilitation Program
- ◆ Samish Nation Vocational Rehabilitation Program
- ◆ Yakama Nation Vocational Rehabilitation Program
- ◆ Spokane Tribe of Indians Vocational Rehabilitation Program
- ◆ Washington Department of Services for the Blind
- ◆ Washington Division of Vocational Rehabilitation

Tribal Vocational Rehabilitation Contingency Plan

This contingency plan outlines the process for continuing to serve both clients concurrently served by Washington State Division of Vocational Rehabilitation (WA DVR) and a Tribal Vocational Rehabilitation Program (TVR), and those clients currently served only by a TVR in the event that a TVR program does not receive continued grant funding and DVR and/or DSB have resources available to avoid interruptions of client services.

The purpose of this agreement is to continue delivering high quality vocational rehabilitation services while honoring and respecting each individual's strengths, skills, abilities and cultural identity.

In the event that a TVR's funding is not renewed by the Rehabilitation Services Administration (RSA), the transfer and referral process to WA DVR will be structured in accordance to the CRC Code of Ethics which is available at: <http://www.crcrcertification.com/pages/crccrccodeofethics/10.php> For Client Referrals: (Reference code A.8. section a, c and d, B.6.a., d., e.)

- TVR counselors assist clients in making arrangement for continuing services by notifying clients of their options, providing the individuals with informed choice and information about WA DVR and/or DSB and the Client Assistance Program (CAP).
- WA DVR information will be provided by WA DVR for distribution by TVR programs.
- CAP information will be provided by CAP for distribution by TVR programs.
- If an individual wishes to be referred to WA DVR the TVR counselor will facilitate a referral by initiating contact with the individual and obtaining a signed release of information to facilitate record sharing between TVR and WA DVR.
- The timing of a referral to WA DVR is made by the individual receiving services by TVR programs.
- All new referrals will complete WA DVR intake and eligibility processes.

For Concurrently Served Clients: (Reference code A.8. section a, c and d, B.6. a, d, e)

- TVR Counselors will notify their clients of their intent to terminate services.
- TVR will notify WA DVR counselors of their intent to terminate TVR services.
- WA DVR will meet with concurrently served clients and, when possible with the TVR counselor, to evaluate service needs and need to amend the IPE.

TVR Programs may complete the state's application process to become a Certified Provider of Community Rehabilitation Services (CRP). This application is located at the WA DVR external web page or through requesting the application from the WA DVR.

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SIGNATORIES:



LouOma Durand Date
Director
Department of Services for the Blind



Andres Aguirre Date
Director
Division of Vocational Rehabilitation

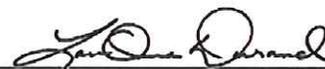


JoDe L. Goudy Date
Chairman
Yakama Tribal Nation

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FEB 02 2015
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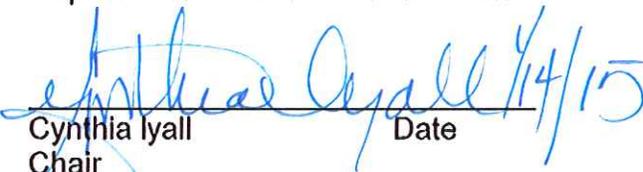
SIGNATORIES:



LouOma Durand Date
Director
Department of Services for the Blind



Andres Aguirre Date
Director
Division of Vocational Rehabilitation



Cynthia Iyall Date
Chair
Nisqually Indian Tribe

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SIGNATORIES:



LouOma Durand Date
Director
Department of Services for the Blind



Andres Aguirre Date
Director
Division of Vocational Rehabilitation



Ted Wright Date
Executive Director
North Intertribal Vocational Rehabilitation
Program

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SIGNATORIES:



LouOma Durand Date
Director
Department of Services for the Blind



Andres Aguirre Date
Director
Division of Vocational Rehabilitation



Don Secena Date
Chair
Confederated Tribes of the Chehalis Reservation

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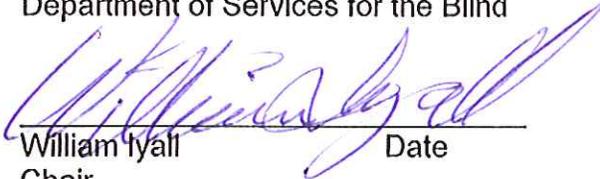
SIGNATORIES:

 11/26/14

LouOma Durand Date
Director
Department of Services for the Blind

 11/25/14

Andres Aguirre Date
Director
Division of Vocational Rehabilitation

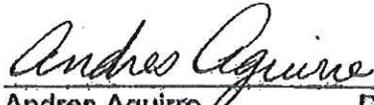
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William Iyall Date
Chair
Cowlitz Tribal Council

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SIGNATORIES:



Lou Oma Durand 11/26/14
Director Date
Department of Services for the Blind



Andres Aguirre 11/25/14
Director Date
Division of Vocational Rehabilitation



Thomas Wooten 12/19/14
Chair Date
Samish Indian Nation

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SIGNATORIES:

 11/26/14

LouOma Durand Date
Director
Department of Services for the Blind

 11/25/14

Andres Aguirre Date
Director
Division of Vocational Rehabilitation

 12/30/14

Rudy Peone Date
Chairman
Spokane Tribe of Indians