

Exchange

A quarterly newsletter of Michigan Protection and Advocacy Service, Inc.
(MPAS)
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Large Crowd Attends Candidate Forum

PHOTO: Employees at Peckham ask questions of candidates during the candidate forum. Peckham is a vocational rehabilitation program that provides job training and employment opportunities for people with disabilities. Pictured left to right: At the podium, MPAS moderator Chris Rodriguez; Clyde Smith, Gene Wriggelsworth, Lance Enderle, and Debra Freidell Wirth. Not pictured: Andy Schor, Sam Singh, and George Zimmer.

Candidates running for elected office in Ingham and Clinton County provided information and answered questions at the Peckham facility on Capital City Boulevard in Lansing on October 22, 2012. The event was cosponsored by Peckham and Michigan Protection and Advocacy Service (MPAS).

The event began with an informal “meet and greet” that was followed by an introduction of the candidates. After welcoming words by **Peckham Executive Director Mitchell Tomlinson** and **MPAS Executive Director Elmer L. Cerano**, candidates briefly spoke about themselves, why they were pursuing elective office, and what initiatives they would pursue if elected.

Candidates attending the Forum and running for the following offices were:

Lance Enderle, U.S. Congress, 8th District
Debra Freidell Wirth, U.S. Congress, 4th District
Andy Schor, MI House of Representatives, 68th District
Sam Singh, MI House of Representatives, 69th District
Clyde Smith, Ingham County Sheriff
Gene I. Wriggelsworth, Ingham County Sheriff
George M. Zimmer, U.S. Congress, 4th District

Tips for Obtaining Employment with a Felony Record

Ann, Employment Team

Getting a job today can be difficult for anyone. Having a felony record can make the process even more challenging. Despite this barrier, it's still possible to find employment. Here is helpful information to keep in mind when reentering the workforce:

- ◆ Find out if getting your record expunged is an option.
- ◆ Training and education are a plus. Take advantage of any opportunities to further your knowledge.
- ◆ Have good references.
- ◆ Participate in volunteer work. This may also help provide additional references.
- ◆ Avoid applying for jobs that, due to your record, will disqualify you for employment.
- ◆ Apply for jobs within your skill range.
- ◆ Start at the bottom of the ladder and work your way up. This builds credibility and experience. Also, it's often easier to get a job when you're already working.
- ◆ Know what your state law allows employers to ask. In Michigan, employers can only ask about convictions and felony arrests. Regardless of a conviction, arrests may still show up when a background check is done.
- ◆ Be honest about your criminal history, and only answer the specific questions that are asked.
- ◆ Be able to demonstrate change and progress since your arrest. This will include any efforts at rehabilitation.
- ◆ Dress appropriately.
- ◆ Focus on your strengths and don't get discouraged!

Some useful Web sites are:

- ◆ www.nationalreentryresourcecenter.org/
- ◆ www.topinc.net/index.html
- ◆ www.xamire.com/
- ◆ www.hirenetwork.org/content/michigan
- ◆ www.goodwilldetroit.org/
- ◆ michiganworks.org/
- ◆ www.matrixhumanservices.org/
- ◆ www.michbar.org/programs/criminalissues.cfm

Update on Activities of the Legal Team

Mark, Legal Director

The MPAS Legal Team represents individuals in select cases that meet agency priorities. For more information on case selection, please contact MPAS. Following is a selection of Legal Team work so far this year.

Part of the core mission of Michigan Protection and Advocacy Service is to work for the elimination of abuse and neglect of individuals with disabilities. Although great progress

has been made over the last few decades, much work is left to be done. For example, although most of Michigan's large institutions have been closed, thousands of people with disabilities now live in licensed Adult Care Facilities (AFC) and nursing facilities, and hundreds of children live in Child Caring Institutions (CCI). In too many of these facilities abuse and neglect, including the excessive and inappropriate use of restraint and seclusion, takes place daily.

In the past, MPAS has been frustrated by the lack of action by certain state agencies charged with oversight of licensed facilities. However, MPAS is aware that one of these agencies, the Bureau of Child and Adult Licensing (BCAL), has recently taken steps to revoke the licenses of a CCI and at least two AFCs. While the abuse and neglect that led to these actions should never have taken place, MPAS is grateful that BCAL has reacted appropriately.

The action to revoke the license of the CCI has exposed a problem in the mental health service delivery system. Almost all of the 55 or so children remaining at the facility were placed there by the Department of Human Services (DHS) because they were victims of abuse and/or neglect in their home. Virtually all of them are in need of ongoing, intensive mental health supports. Unfortunately, because of a lack of coordination between DHS and the Department of Community Health (DCH), those needs have gone unmet prior to placement, during placement, and after discharge. While the facility is challenging the action to revoke its license, MPAS is working with DHS and DCH to secure the immediate and appropriate discharge of residents with services and supports in place. Hopefully, this will lead to a better mental health delivery system for Michigan's most vulnerable children.

BCAL's action to terminate the license of the two AFCs is being challenged in court. The Office of the Attorney General is representing BCAL. Because of the importance of this issue and because the litigation may impact future licensing actions, MPAS has filed amicus briefs with the appellate courts. These briefs support the actions of BCAL and emphasize the need for an effective system of oversight of licensed facilities.

Of course, the abuse and neglect that takes place in large institutions would not happen if guardians would not place individuals in these facilities. That is why the decision by several guardians in Michigan to place individuals in a facility in Florida with a poor reputation is especially troubling. MPAS became aware of this situation when a client was referred to us by the Florida protection and advocacy system. Challenges to the placement of that person in the Florida facility were unsuccessful in probate court, but she has since moved back to Michigan.

However, the efforts of MPAS were highlighted in an article in the *Bloomberg News*. Many troubling practices were detailed and, as a result, Florida licensing agencies are taking action against the facility. MPAS is working on a coordinated strategy with the Florida protection and advocacy system to secure the return to Michigan of those individuals who wish to come back.

Employment continues to be a priority for MPAS. Two complaints filed on behalf of clients whose rights under the Americans with Disabilities Act were violated are being

investigated by the Equal Employment Opportunity Office (EEOC) and one federal court action was settled.

Another priority for MPAS is education. Currently, there are two due process hearings scheduled in which we allege there has been a serious failure of the schools.

Finally, the last issue of *Exchange* mentioned a lawsuit that had been filed in Wayne County Circuit Court challenging the inaccessibility of a doctor's office. That action remains pending in court. That is also true for the *amicus* briefs filed by MPAS in a challenge to a decision by DHS to impose overly restrictive work requirements on parents of children with disabilities.

Employment Team at MPAS: Who we are and what we do

Michigan Protection and Advocacy Service (MPAS) is made up of teams specializing in specific types of issues and investigations. One of these teams is the Employment Team, made up of advocates who work to protect the rights of individuals and to eliminate employment barriers for people with disabilities.

The main component of the Employment Team is the Client Assistance Program (CAP). CAP is a federally mandated program under the Rehabilitation Act of 1973, as amended.

In Michigan, CAP employees advocate for individuals who are applying for or receiving services from Michigan Rehabilitation Services (MRS), the Bureau of Services for Blind Persons (BSBP), local centers for independent living (Disability Network), or other programs funded under the Rehabilitation Act.

Issues addressed by CAP may include, a client's relationship with his/her counselor; a client dissatisfied with services; a person interested in applying for rehabilitation services; or a client seeking assistance when appealing a decision such as a denial of eligibility.

CAP professionals are experienced advocates with an excellent understanding of the laws and policies that revolve around the vocational rehabilitation (VR) process. They understand the importance of informed choice and that having correct information available leads to clients reaching their goal of barrier-free employment and personal independence.

Above all, CAP advocates are committed to helping their clients express their point of view and believe that empowering their clients with information about their rights and responsibilities is key to success.

Ask the Advocate

Brian, Employment Director

Q: I am a new client of Vocational Rehabilitation (VR) but still have questions on how the VR Process works. Can you explain it to me?

A: A very useful online resource can be utilized to understand the Vocational Rehabilitation process. This resource called *The Six Steps to Vocational Rehabilitation Customer Handbook* can be found at:
http://www.michigan.gov/documents/mdcd/6-Steps-to-Vocational-Rehab-WHOLE-Book21_283895_7.pdf

These six steps to Vocational Rehabilitation are outlined below:

Step 1: Applying for Services

Orientation Session and/or an interview. This process is an overview of a Michigan VR agency and a chance to ask questions.

- ◆ Complete a VR agency application. This means you are applying for assistance from a VR agency with a goal of employment. You may be asked to provide records about your disability or sign *release* forms so your counselor can learn about your disability and how it affects you.

Step 2: Determining Eligibility (Timeframe: 60 days)

You are eligible if your disability is stopping you from getting or keeping a job and you require VR agency services related to your disability so you can reach your job goal. When you first meet with your counselor, expect to discuss factors that impact your ability to benefit from VR agency services. You will be asked to provide records about your disability.

Bring your disability information to a VR agency or sign release forms so VR can review your records. Work with your VR Counselor to explore options of disability evaluations(s).

Step 3: Career Exploration and Developing an Individualized Plan for Employment (IPE)

(Timeframe: 90 days)

Career Exploration:

- ◆ What skills do you bring from other jobs?
- ◆ What are your skills, abilities, and interests upon which you can build?
- ◆ How do your disability or functional limitations impact employment?
- ◆ What is the local job market like?
- ◆ What are different working conditions?

Developing an IPE:

The focus of the plan is:

- ◆ What is your specific job goal?
- ◆ What services and benefits, including other programs, will help you reach your job goal?
- ◆ How will VR know if you are making progress toward your job goal?

- ◆ What are VRs' responsibilities?
- ◆ What responsibilities do others have?
- ◆ Signatures from you and your VR counselor will finalize your plan.

Step 4: Following your Plan

- ◆ Your IPE is a *road map* to a job.
- ◆ Know your job goals.
- ◆ Know the services needed to reach the goal.
- ◆ Know VRs' responsibilities.
- ◆ Know your rights and responsibilities.
- ◆ Know that you need to maintain contact with your VR counselor so he/she will know you are making progress on your job goal and assist you in achieving it.

Once your IPE is developed, it serves as your *road map* to a job. It's important to follow each step of your IPE to ensure that you are on track and making progress toward your goal. It is very important to maintain contact with your counselor. Counselors may be working with more than 100 people, so you and your counselor will need to agree on the frequency and type of contact (phone, email, office visit). If you are unable to keep an appointment, it is important that you contact your counselor or any other service provider you are working with.

An IPE is an agreement between you and VR that identifies your employment goal and services needed to achieve it. All decisions regarding your involvement and services with VR are based on this agreement. The IPE is the road map that guides your vocational rehabilitation program. It is the foundation of your success. It's important for you and your counselor to agree on the services required for successful employment. Remember, every plan is different and your plan is developed just for you.

Step 5: Finding a Job

A successful job search involves your dedication, consistency, and a willingness to do what's necessary. Some things you should expect in your job search include submitting resumes, following up on job leads, and going to interviews.

VR provides a variety of services to assist you with finding and keeping a job. Some of these include:

- ◆ cover letter and resume writing,
- ◆ interviewing skills,
- ◆ handling tough interview questions,
- ◆ developing job leads,
- ◆ job coaching,
- ◆ on-the-job-training,
- ◆ on-the-job-evaluation,
- ◆ referrals to other job placement agencies or private providers.

A successful job search involves dedication, consistency, and willingness to do what's necessary. Most successful job seekers use contacts with family and friends, practice their interviewing skills, and do whatever they have to do to go the *extra mile*.

Step 6. Successfully Employed and Closing Your Case

Once you have found employment, your case will remain open for 90 days. During this time you should maintain contact with your VR counselor to address any work place accommodations and/or issues that may arise. After 90 days of successful employment, your VR counselor will close your case and mail you a closing letter. If your disability starts impacting your job performance or your job is in jeopardy because of your disability, you are eligible for post-employment services from VR for 12 months after your case has been closed.

FROM THE EXECUTIVE DIRECTOR Post Election Realities 2012

Now that the 2012 Presidential election is over and the country settles in with an afterglow of satisfaction or dismay, the reality for everyone is that the hard work begins now.

In working “the Hill” (public policy) over the past 40+ years, on behalf of people with disabilities, I always understood that disability issues have no political sides. The ranks of people with disabilities and their families come from all political, socioeconomic, religious, ethnic and racial sectors. Because membership in the disability community is open to all, 24-7, those of us who work on public policy issues usually found public officials to be supportive or, at least, empathetic to the issues we brought forward.

Support and empathy aside, however, there has always been a wide variety of strategies related to *how* to address specific issues such as education, housing, assistive technology, employment, health/dental care, support services, accessibility etc. As in all cases, the details of *how* such needs are met is where the heavy lifting has taken place.

As we enter 2013, we will face new and more challenging obstacles not only in the *how* needs are to be met, but we may be asked *if* the needs of people with disabilities should be met at all. We may be challenged with questions related to the *return on investment* when spending limited tax revenues on people with limited production capacity.

It is extremely dangerous and very unsettling whenever there are attempts to equate economic productivity with human value. History has horrific examples of this danger and we must never again go down that path.

Recognizing the danger, however, should not prevent us from guaranteeing opportunities for ALL people, including ALL people with disabilities to grow, to learn, and to be as productive as they desire.

I have no doubt that our elected officials, Republicans, Democrats and Independents will want to continue to understand the challenges facing people with disabilities and their

families. Unfortunately, the challenges that will take center stage will be stabilizing and growing the national economy.

With the new worldwide economic realities facing our nation, people with disabilities and, those of us who are fortunate enough to work on their behalf, will be pushed to the back of the line unless we broaden our approach and intensify our demands to become an intrinsic part of rebuilding the American economic infrastructure.

We must change the public perception that people with disabilities are always on the receiving end of government programs and services. We must also challenge the perception that people with disabilities contribute very little to the social and economic infrastructure of the nation.

While challenging those assumptions, we cannot ignore the possibility that new ideas on how we can do things better may surface and we must also be open to legitimate observations that some of our innovative ideas of the past have not evolved into what they could, or should be.

For example:

Education

Special education continues to produce students who will remain unemployed or under-employed for most of their lives.

Mental Health Services

We have closed many of the State Psychiatric Hospitals but failed to create and fund better options that promote recovery. Unfortunately, our failure has resulted in far too many people in need of mental health services being incarcerated in our State and County correctional facilities.

Labeling

In our legitimate attempts to prevent unnecessary or inappropriate labeling of children with physical, intellectual or psychiatric disabilities, we failed to provide appropriate early identification, intervention and treatment for children with special needs.

Financial disincentives to work

In our attempts to secure a needed safety net, we created fiscal disincentives for people with disabilities to work. We have locked people into perpetual poverty and have forbidden them from ever accruing sufficient resources to be able to retire.

Separate but (Un) Equal

For decades, we seem to have tolerated (and even promoted) a *separate but equal* philosophy in our educational programs, employment options/opportunities, and living arrangements for people with disabilities.

If history has taught us anything, it is that separate is inherently not equal.

Current discussions on how to rethink education, job growth, technology, affordable health care, Medicaid, Medicare, and Social Security etc., must include accommodations to allow ALL people to participate. Anything short of demanding accommodated

utilization of improved generic services for people with disabilities will simply perpetuate an unacceptable presumption that *separate* is *equal*.

ALL means ALL!

- ◆ Quality education for ALL,
- ◆ Affordable quality Health Care for ALL (including specialized supports and services for people who are aging and people with disabilities),
- ◆ Fair employment opportunities for ALL,
- ◆ Opportunities to pursue happiness for ALL.

I have no doubt that America has a bright future ahead. It is our job – no – it is our DUTY to make sure that ALL Americans play a role in making that future brighter and that ALL Americans benefit from the reforms. The future is what we make it – ALL OF US TOGETHER!

Elmer L. Cerano
Executive Director

Informed Choice: Having a Voice in Vocational Rehabilitation

What is informed choice? How do you know if you have it?

Informed choice is the process by which individuals participating in vocational rehabilitation programs make decisions about their **assessment services, vocational goals**, and the **services they receive** from **State Vocational Rehabilitation (VR) agencies**. This process also includes choosing which service providers are necessary to reach their goals.

What does this all mean? In a nutshell, informed choice means VR agency clients get to “have a voice” in their vocational rehabilitation plan and the process through which it is carried out. For example, when counselors require clients to have a vocational assessment, clients get to determine which provider they would like to complete the assessment. Another example of informed choice is deciding which doctor to see when the VR agency is requesting a medical evaluation.

The goal of informed choice within the vocational rehabilitation (VR) system is to support self-determination to achieve employment. Clients of VR shall be involved in all steps of the vocational plan beginning with intake, followed by any assessments, employment goal selection and development of the individualized plan for employment (IPE), all the way through to case closure.

VR agencies believe clients have the right to determine the following:

- ◆ rehabilitation technology needed to fully access vocational rehabilitation services,
- ◆ types of assessments needed to determine their job goal,
- ◆ a job goal that will allow them to reach their chosen level of independence,

- ◆ services needed to reach their goal,
- ◆ professional or nonprofessional providers who can best meet their service needs,
- ◆ how the services will be arranged,
- ◆ satisfaction with the services they have received.

Informed choice means having a voice in the planning and services received from Vocational Rehabilitation Services. Client voices should be heard and listened to by vocational rehabilitation counselors.

If you are a client of Michigan Rehabilitation Services, and feel that you are not being listened to, call the Client Assistance Program at **800.288.5923**.

Become a Fan of MPAS Facebook

Many regular readers of *Exchange* know that Michigan Protection and Advocacy Service (MPAS) is now on Facebook. It's a great way to connect with others like you who are interested in disability issues and want to keep up on the latest news and legislation affecting the disability community.

If you haven't already, MPAS would like to challenge *Exchange* readers to join Facebook. Get your friends to join, too!

Update on Education Advocacy

Mark, Information & Referral and Education Director

MPAS began surveying parents of children with disabilities in November 2010 through our information and referral service. We asked parents if their children were having problems related to behavior, including problems that could suggest future behavior challenges such as academic struggles, retention, or multiple absences. The survey is not intended to produce scientifically valid data but is designed as an informal measure of the scope of current or possible future behavior issues facing students with disabilities in Michigan.

MPAS callers have completed over 1,900 surveys since April 2011 and over 180 in the fourth quarter of 2012. Individual survey responses have been used to screen and identify cases for investigation for possible complaints. Through September 2012, MPAS had obtained findings or agreed-upon resolutions requiring corrective action in 50 of 59 complaint cases, with several more pending.

Over 100 callers reported last quarter that their children were experiencing behavior problems in school. Over 1,200 callers surveyed have reported such problems since the survey began.

A small, but important, number of callers have reported that schools have placed their children on *homebound instruction* as an alternative to school. Homebound instruction is generally available for children with medical issues whose doctors have certified they are

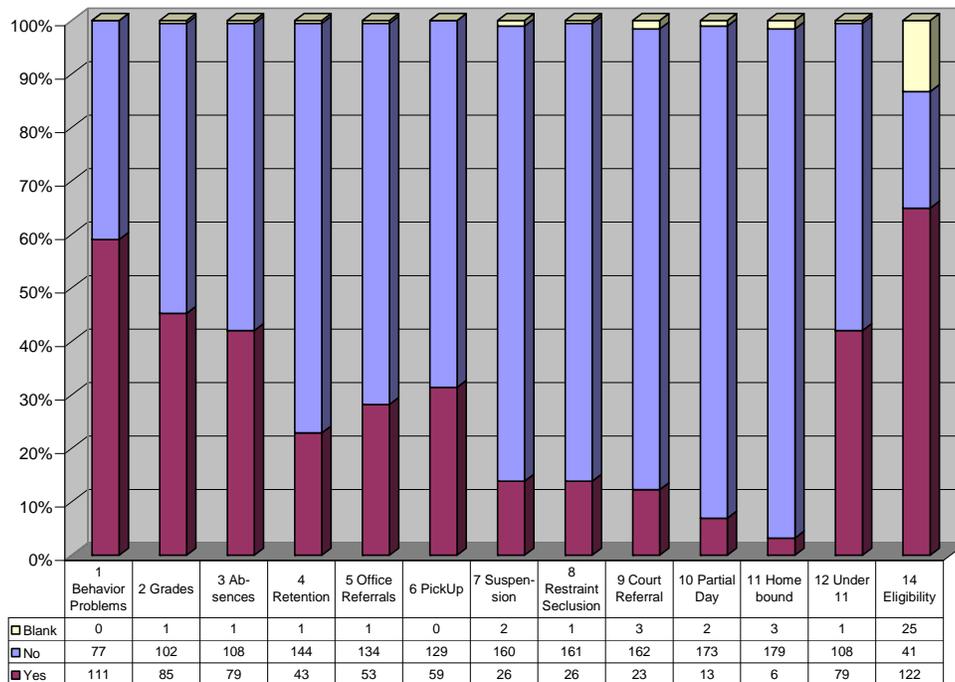
not able to attend school. Many schools, however, place children in homebound instruction either as an interim alternative educational setting following disciplinary action or as a long-term alternative through the individualized education program (IEP) process. Essentially, children are sent home and provided a minimal level of contact with school.

In providing homebound instruction, schools must by law provide a minimum of two nonconsecutive hours of instruction per week. In our experience, the two-hour instructional *floor* has also served as a maximum *ceiling* on services.

Recently, the **U.S. Office for Civil Rights (OCR)** found that the practice of automatically placing a student with a disability in a homebound setting for two hours per week, without considering the individual child’s program needs, did not offer a child a free appropriate public education. Although OCR’s finding addressed services and supports under **Section 504 of the Rehabilitation Act**, the reasoning may also apply to children who have IEPs under the **Individuals with Disabilities Education Act (IDEA)**.

Stay tuned for future updates on educational advocacy. Please call MPAS at **800.288.5923** or visit our Web site at www.mpas.org for more information.

188 Parent Questionnaires July-September 2012



Two MPAS Board Members Step Down After Long Tenure of Service

PHOTO OUTLINE: Left to right: MPAS Executive Director Elmer L. Cerano, Kate Pew Wolters, First VP; Michelle Huerta, Board President; Retiring Board Members Ann Manning and Mark Brewer.

At the close of the September 2012 Annual Board of Directors meeting, two long-term MPAS Board members, **Ann Manning** and **Mark Brewer**, concluded their maximum term limits on the MPAS Board of Directors.

Ann Manning, who served on the Public Policy Committee, brought a clear and first-hand perspective to MPAS in her role on the board. She has always asked hard questions and, more importantly, listened to see if the answers actually made sense for people with disabilities. Her ability to filter information through a disability screen has provided MPAS with many well-formulated positions and strategies over the years.

Mark Brewer has been an uncompromising advocate for people with disabilities and others who have historically been disenfranchised from the American political process. Mark's keen sense of fiscal accountability and programmatic integrity and innovation has been essential in building the capacity of MPAS to protect the legal rights of people with disabilities.

Mr. Brewer served as the Chair of the Audit Committee and has consistently required transparency and independence of the Board's audit responsibilities.

Both members were presented with commemorative plaques in appreciation for their many years of service.

State Vocational Rehabilitation Services: Know Your Appeal and Hearing Rights!

by Lisa, Employment Advocate

If you are an applicant or have been approved to receive **State Vocational Rehabilitation (SVR)** services, it's very important to know your rights and what to do if you disagree with any decisions the SVR makes related to providing you with services.

The **Federal Rehabilitation Act of 1973 (Rehab Act)** requires that you have a means to address your disputes and that your concerns be reviewed and addressed in a timely manner.

In Michigan, the State Vocational Rehabilitation providers are **Michigan Rehabilitation Services (MRS)** and the **Bureau of Services for Blind Persons (BSBP)**. The Rehab Act requires each of these agencies to develop procedures that allow you to appeal decisions made by the SVR provider that affect you being provided with vocational rehabilitation services. Following is a list of the requirements that the Rehab Act requires these state agencies to follow:

1. You or your representative must be notified in writing of your right to:
 - ◆ a due process hearing if you disagree with a SVR provider's decision,
 - ◆ pursue mediation to resolve a service dispute,

- ◆ receive information for filing a request for mediation or a due process hearing,
 - ◆ receive information on how a mediator or hearing officer may be selected,
 - ◆ access the Client Assistance Program for help during mediation or an impartial hearing.
2. Written notification of the *right to appeal* must be provided when:
 - ◆ you apply for services,
 - ◆ you are assigned to a category if the State is under Order of Selection,
 - ◆ developing your Individual Plan for Employment (IPE),
 - ◆ your services are reduced, suspended or terminated.
 3. If you appeal a SVR provider's decision or are scheduled to attend a due process hearing, you have a right to:
 - ◆ submit evidence or information to support your position,
 - ◆ be represented by an advocate or legal counsel.
 4. SVR Services cannot be reduced, suspended, or terminated pending an informal resolution, a mediation resolution, or a hearing officer decision **except** in the following cases:
 - ◆ you or your representative requests that the service change,
 - ◆ SVR has evidence that your services were obtained through illegal or fraudulent means.
 5. If it is determined that you are not eligible for services, regardless of whether you are a new applicant or someone who was previously eligible for services, you may request that the current denial of eligibility be reviewed through the appeals and impartial hearing process.

The Rehab Act identifies three methods to resolve disputes including: **informal dispute resolution, mediation, and impartial due process hearing**. Each state has the right to decide if they will develop an informal resolution process. Mediation and impartial due process hearing procedures are required to be developed by every state and must be made available to you or your representative whenever you request a hearing.

1. **Informal dispute resolution:** This process is designed to attempt to resolve your dispute without the need for mediation or due process hearing, though it can't delay or deny your right to these more formal procedures. During this process, you and your representative will meet with SVR staff to discuss your situation. If your dispute is not resolved by the timeline specified for a formal hearing to occur, a due process hearing must be conducted unless all parties involved agree to a hearing extension.
2. **Mediation:** This process requires an objective, outside third party to work with both sides to attempt to reach a resolution prior to holding an impartial due process hearing.
 - ◆ Participation is voluntary for all parties involved.

- ◆ It must not delay or deny access to an impartial hearing and may be terminated at any time by any of the parties involved. If terminated, you or your SVR provider may request to proceed with the due process hearing.
- ◆ The process must be conducted by a qualified person as defined in the Rehabilitation Act and must occur in a manner that is both timely and in a location convenient to all parties.
- ◆ All mediation discussions must remain confidential and may not be used as evidence at any future impartial hearings or civil proceedings.
- ◆ Agreement reached must be jointly developed with the assistance of the mediator and written into a document that must be agreed upon and signed with copies issued to both parties.
- ◆ The state is responsible for the cost of the mediation process. You are responsible for any costs related to your being represented by an advocate or legal counsel.

3. Impartial Due Process Hearing: States must establish and implement formal review procedures that include the right to an administrative hearing before an impartial hearing officer.

These procedures must provide for the following:

- ◆ The hearing must be held by an impartial hearing officer within 60 days of your request for a review of State VR determination. The hearing may be canceled if an agreement is reached through informal resolution or mediation or may be postponed for a specified time beyond 60 days if agreed to by all parties.
- ◆ You or your representative must be given the right to present and examine witnesses and related information or evidence.
- ◆ The impartial hearing officer's decision must be based upon the State Plan, the Rehabilitation Act, Federal vocational rehabilitation regulations and State regulations and policies. This decision and justification for the decision must be provided in writing to all parties within 30 days of the hearing.
- ◆ This decision is final unless the State has established an administrative review process. In such cases, either party may request a review if not satisfied with the decision made by the impartial hearing officer.

Further information regarding the Appeal and Hearing Rights regulations, including the selection of impartial hearing officers, administrative review of a hearing officer's decisions, implementation of final decisions, civil actions, State fair hearing boards and data collection may be found by reviewing the **Rehabilitation Act 34 CFR Part 361.57**.

As illustrated in this article, the process to appeal any determination that affects the provision of SVR services can seem overwhelming and complicated. For this reason, the **Client Assistance Program (CAP)** is identified by the **Rehabilitation Act** as a required resource available to individuals to assist in better understanding and actively participating in this process. If you need assistance regarding the State Vocational Rehabilitation Services appeals and hearing process, you can request assistance from a CAP advocate by calling MPAS at **800.288.5923**.

Enter the Annual Disability Advocacy Essay Contest

Do you have a disability?

Do you have a story you'd like to share about how you faced a particular challenge head-on and won?

Michigan Protection and Advocacy Service (MPAS) is looking for *real, motivating* stories about people with disabilities who have successfully advocated for themselves or others. In 500 words or less, describe how you overcame barriers and achieved success.

First Prize: \$300.00

Second Prize: \$200.00

Third Prize: \$100.00

Entries must be submitted no later than **January 11, 2013**, and will be judged on:

- ◆ authenticity,
- ◆ content and appeal of the advocacy story,
- ◆ impact the story has had on the life of the individual or the lives of other people who have disabilities,
- ◆ impact the story has had on the priorities within Michigan Protection and Advocacy Service.

Rules of Entry:

- ◆ Entries are limited to 500 words or less and can be submitted in writing or audiotape.
- ◆ Entries will be judged by the MPAS Essay Contest committee.
- ◆ Decisions of the judges are final.
- ◆ Late entries will not be considered.
- ◆ Employees of MPAS, volunteers, board members, and members of MPAS PAIMI Advisory Council and their immediate families are not eligible to win.
- ◆ Prizes will be presented to the author (subject) of the story.
- ◆ All entries become the property of MPAS and will not be returned to the author.
- ◆ Entries, in part or in total, may be used by MPAS in publications.
- ◆ Actual names will be used only with written permission from the individual.
- ◆ The stories, without identifying information, may be used by MPAS.
- ◆ Prizes will be awarded to the person about whom the story is written, and not the author (if different).

Winners will be notified by mail and announced via the Spring 2013 *Exchange* newsletter and MPAS Web site www.mpas.org.

All entries must be received by January 11, 2013.

You may submit your entry through the MPAS Web site at www.mpas.org or by fax at 517.487.0827. Those wishing to mail their entry may do so to:

MPAS Essay Contest
4095 Legacy Parkway, Suite 500
Lansing, Michigan 48911 4264

Be sure to include your name, address, phone number, and email address so we can contact you if you are a winner!

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