

4-28-21

Dear Commission Members:

1. At the bottom of each Individualized Plan for Employment that each Voc Rehab client signs are these words:

"By signing this form, I understand and agree that this IPE is only valid through the end date outlined above."

Those words are in direct conflict with Federal Regulations which state the following:

"The [Bureau's] written policies may not establish any arbitrary limits on the nature and scope of vocational rehabilitation services to be provided to the individual," (34 CFR § 361.50(a));

and,

"The State unit may establish reasonable time periods for the provision of services provided that the time periods are ... [n]ot absolute and permit exceptions so that individual needs can be addressed." (34 CFR § 361.50(d), et. seq.);

When challenged, the Bureau insists that the deadline that it told its clients to sign is absolute and no exceptions can be made.

2. Federal Regulations, Bureau Policy, and each IPE that a Client Signs also state that Clients my author, by themselves, their own IPE document, as long as the document "is a written document prepared on forms provided by the State unit," (see, for example, 34 CFR § 361.45 (d)(1)).

When Clients request the form, they receive from counselors the following messages:

" The Bureau of Vocational Rehabilitation (BVR) doesn't have a blank form."

"There are no external forms that we offer or require."

And

"even if a client may choose to submit their IPE draft in a unique format, we will still have to translate that."

The Commission is now aware of these apparent issues of noncompliance and I ask that the Counsel addresses them immediately.

I do plan to virtually attend the May 4 meeting and voice this as a Public comment. I request that this document be entered into the public minutes of the meeting.

Thanks,

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