

ROSEBUD SIOUX TRIBE
Resolution No. 2020-162

- WHEREAS,** The Rosebud Sioux Tribe is a federally recognized Indian Tribe organized pursuant to the Indian Reorganization Act of 1934 and pertinent amendments thereof; and
- WHEREAS,** The Rosebud Sioux Tribe is governed by a Tribal Council made up of elected representatives who act in accordance with the powers granted to it by its Constitution and By-laws; and
- WHEREAS,** the Constitution and By-laws of the Rosebud Sioux Tribe Article IV Section 1 (a) authorizes the Tribal Council to negotiate with the Federal, State and local governments on behalf of the Tribe; and
- WHEREAS,** The Rosebud Sioux Tribe Vocational Rehabilitation Agencies has proposed the Rosebud Sioux Tribe authorize a Cooperative Agreement with the South Dakota Department of Human Services and the American Indian Vocational Rehabilitation Services to effectively and efficiently provide rehabilitation services to eligible American Services with disabilities who reside on or near the Rosebud Indian Reservation; and
- WHEREAS,** Section 121 of the Rehabilitation Act authorizes discretionary grants for services provided by tribal agencies to American Indians with disabilities residing in the State to the same extent as the designated State agency provides such services to other significant populations of individuals residing in the State; and
- WHEREAS,** The cooperative agreement will be effective from the date of signing for an indefinite period of time, will be reviewed and updated in necessary, and either party may terminate the agreement within sixty (60) days written notification to the other party; and
- WHEREAS,** Disputes involving this agreement shall be resolved in a timely manner; and
- WHEREAS,** the Rosebud Sioux Tribal Council finds it is in the best interests of the Rosebud Sioux Tribe to approve the Cooperative Agreement with the South Dakota Department of Human Services and the American Indian Vocational Rehabilitation Services to effectively and efficiently provide rehabilitation services to eligible American Services with disabilities who reside on or near the Rosebud Indian Reservation; and
- THEREFORE BE IT RESOLVED,** that the Rosebud Sioux Tribal Council hereby agrees with the terms and provisions of the Cooperative Agreement with the State of South Dakota Department of Human Services and the American Indian Vocational Rehabilitation Services; and
- BE IT ALSO RESOLVED,** That the President of the Rosebud Sioux Tribe or his authorized delegate is authorized and directed to sign and execute the Cooperative Agreement;


Delores Totes Waln
Antelope Council Representative

7-27-20
Date

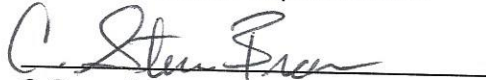
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Russell Eagle Bear
Black Pipe Council Representative

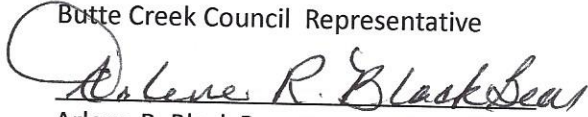
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Lisa White Pipe
Bull Creek Council Representative

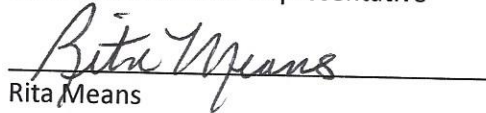
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C. Steve Brave
Butte Creek Council Representative

7-28-20
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Arlene R. Black Bear
Corn Creek Council Representative

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Rita Means
Grass Mountain Council Representative

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Clifford Lafferty
He Dog Council Representative

Date

Robert Rattling Leaf
Horse Creek Council Representative

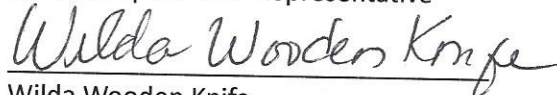
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Shizue LaPointe
Ideal Council Representative

Date

Byron Andrews
Milks Camp Council Representative

Date

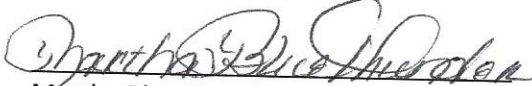

Wilda Wooden Knife
Okreek Council Representative

7-27-20
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Eileen Shot
Parmelee Council Representative

7-28-20
Date

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Martha Blue Thunder
Ring Thunder Council Representative

7-27-20
Date

Lenard Wright
Rosebud Council Representative

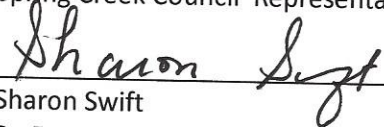
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Kathleen Wooden Knife
Soldier Creek Council Representative

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Lila Kills In Sight
Spring Creek Council Representative

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Sharon Swift
St. Francis Council Representative

7-27-20
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James Leader Charge
Swift Bear Council Representative

07-27-2020
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Richard Whipple
Two Strike Council Representative

Date

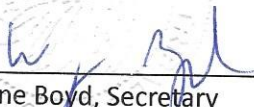

Dwight D. Spotted Tail
Upper Cut Meat Council Representative

7/28/2020
Date

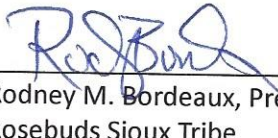
CERTIFICATION

This is to certify that the above Resolution No.2020-162 was duly circulated and signed by representatives of the Rosebud Sioux Tribal Council. Said petition was duly passed, as signed by a majority of the Rosebud Sioux Tribal Council.

ATTEST:




Wayne Boyd, Secretary
Rosebud Sioux Tribe



Rodney M. Bordeaux, President
Rosebuds Sioux Tribe

ROSEBUD SIOUX TRIBE
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- WHEREAS,** the Constitution and By-laws of the Rosebud Sioux Tribe Article IV Section 1 (a) authorizes the Tribal Council to negotiate with the Federal, State and local governments on behalf of the Tribe; and
- WHEREAS,** The Rosebud Sioux Tribe Vocational Rehabilitation Agencies has proposed the Rosebud Sioux Tribe authorize a Cooperative Agreement with the South Dakota Department of Human Services and the American Indian Vocational Rehabilitation Services to effectively and efficiently provide rehabilitation services to eligible American Services with disabilities who reside on or near the Rosebud Indian Reservation; and
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Antelope Council Representative

7-27-20
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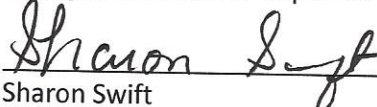
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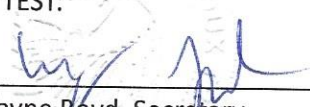

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Wayne Boyd, Secretary
Rosebud Sioux Tribe


Rodney M. Bordeaux, President
Rosebuds Sioux Tribe



United States Department of the Interior

BUREAU OF INDIAN AFFAIRS

Rosebud Agency

Post Office 228

Mission, South Dakota 57555

IN REPLY REFER TO:
Administration

AUG 11 2020

Honorable Rodney Bordeaux
President, Rosebud Sioux Tribe
Post Office Box 430
Rosebud, South Dakota 57570

Attention: Louis Wayne Boyd, Rosebud Sioux Tribe Secretary

Dear President Bordeaux

The following resolutions, received in this office on August 7, 2020, have been reviewed and re-routed to the appropriate branch.

Resolution No. 2020-158
Resolution No. 2020-161
Resolution No. 2020-162
Resolution No. 2020-164
Resolution No. 2020-165
Resolution No. 2020-166
Resolution No. 2020-168
Resolution No. 2020-169
Resolution No. 2020-170

Please do not hesitate to contact Lee A. Beardt, Superintendent at (605) 856-2334, for any questions.

Sincerely,

Lee A. Beardt
Superintendent

Enclosure

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- WHEREAS,** Section 121 of the Rehabilitation Act authorizes discretionary grants for services provided by tribal agencies to American Indians with disabilities residing in the State to the same extent as the designated State agency provides such services to other significant populations of individuals residing in the State; and
- WHEREAS,** The cooperative agreement will be effective from the date of signing for an indefinite period of time, will be reviewed and updated in necessary, and either party may terminate the agreement within sixty (60) days written notification to the other party; and
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BE IT ALSO RESOLVED, That the President of the Rosebud Sioux Tribe or his authorized delegate is authorized and directed to sign and execute the Cooperative Agreement;



Delores Totes Waln
Antelope Council Representative



Date

COOPERATIVE AGREEMENT
Between
Rosebud Sioux Tribe Vocational Rehabilitation Services
And
South Dakota Department of Human Services

Purpose

This cooperative agreement is implemented for the purpose of enhancing the delivery of vocational rehabilitation (VR) services to South Dakota American Indians who reside on or near the Rosebud Indian Reservation, and to define the working relationship between the Rosebud Sicangu Vocational Rehabilitation (hereafter referred to as AIVRS or RSVR) and the South Dakota Department of Human Services (hereafter referred to as DHS) as required in Section 101(11)(H) of the Rehabilitation Act and, to continue the working relationship that was developed with initial application effort according to Part C. Section 121. (b)(1)(C).

This cooperative agreement will address how the Vocational Rehabilitation Agencies (Divisions of Rehabilitation Services and Service to the Blind and Visually Impaired) within the Department of Human Services and the Rosebud Sicangu Vocational Rehabilitation and the American Indian Vocational Rehabilitation Services will cooperate to effectively and efficiently provide rehabilitation services to eligible American Indians with disabilities who reside on or near the Rosebud Indian Reservation.

Definitions:

The following definitions will apply in this cooperative agreement:

- AIVRS: American Indian Vocational Rehabilitation Services
- RSVR: Rosebud Sicangu Vocational Rehabilitation
- DSA: The Designated State Agency, which in this case is the South Dakota Department of Human Services.
- DSU: The Designated State Units, which in this case are the two divisions that provide VR services: The Division of Rehabilitation Services and the Division of Service to the Blind & Visually Impaired.
- Section 121 Project: a discretionary grant authorized by the Rehabilitation Services Administration to governing bodies of Indian Tribes for the provision of vocational rehabilitation services to American Indians with disabilities residing on or near the reservation.
- Indian Tribe: any State or federally recognized Indian Tribe.
- Reservation: A State or federally recognized Indian Reservation.
- In accordance with the 1998 Amendments to the Rehabilitation Act, the Rosebud Sicangu Vocational Rehabilitation defines "**Near**" as 50 miles beyond the exterior boundary of the reservation.

- IPE: Individualized Plan for Employment

Legal Basis:

The Rehabilitation Act authorizes the Department of Human Services to provide vocational rehabilitation services for all eligible South Dakota residents.

Section 121 of the Rehabilitation Act authorizes discretionary grants to governing bodies of Indian Tribes located on Federal and State reservations for the provision of vocational rehabilitation services for American Indians with disabilities residing on or near such reservations.

Section 121(b)(1)(B) of the Act states that vocational rehabilitation services provided by tribal agencies to American Indians with disabilities residing on or near a reservation will be, to the maximum extent feasible, comparable to the services that are provided to other individuals with disabilities residing in the State.

Section 101(13) of the Act requires that the DSUs provide vocational rehabilitation services to American Indians who are individuals with disabilities residing in the State to the same extent as the designated State agency provides such services to other significant populations of individuals with disabilities residing in the State.

Agreement:

In order to ensure the coordination of vocational rehabilitation services provided by the DSUs and the AIVRS, the following procedures will be utilized:

- DSU policy changes will be communicated to AIVRS.
- RSVR/AIVRS and DSUs are committed to conducting joint training and will meet periodically to discuss pertinent issues.
- DSUs will offer RSVR/AIVRS staff members the opportunity to participate in DSU sponsored in-service training sessions and other relevant meetings.
- As mandated by the Rehab. Act Sec. 105(b)(1)(A)(ix), seats on the DSUs' state rehabilitation councils are reserved for a representative of the directors of the 121 projects in the state.

In order to establish a description of how vocational rehabilitation services will be provided to individuals served concurrently by the DSUs and RSVR/AIVRS:

- The referral process (Attachment I) between DSUs and RSVR/AIVRS will be followed whenever American Indian clients return to or leave the reservation.
- Case services provided by DSUs will be paid for using the State Agency payment system.
- Case services provided by RSVR/AIVRS will be paid for using the method approved by the Rosebud Sioux Tribe.

- Each DSU will designate a staff person to be the contact person with RSVR/AIVRS. The RSVR/AIVRS project director will be the designated contact for the RSVR/AIVRS Program, or the director will designate an RSVR/AIVRS project staff to act as the contact.
- Each agency reserves the right to independently determine eligibility, the scope of an individual's IPE, and the criteria for case closure.
- In those situations where dual case management is necessary, the counselors involved will consult with one another on a regular basis to avoid duplication and assure continuity of services. Procedures to be followed are found in Attachment II.
- RSVR/AIVRS will accept primary responsibility for case management and the provision of rehabilitation services for clients residing on or near the reservation. It is further understood that RSVR/AIVRS is intended to be the primary service provider; however, any client may choose to apply for DSUs for services. (Sec. 121(b) (3))

In order to coordinate the provision of transition planning and transition services for students with disabilities, the following procedures will be used by the DSUs and AIVRS:

- The Transition Services Liaison Project (TSLP) jointly funded by the DSUs and the State Office of Special Education is available to provide technical assistance to the RSVR/AIVRS and schools on the Rosebud Sioux Reservation and in South Dakota.
- The DSUs will make available a paid work experience program (Project Skills) to eligible students with disabilities.
- The Benefits Specialists services funded by the DSUs are available to provide Social Security Work Incentives benefits assessment and counseling services for Vocational Rehabilitation students of the DSUs and/or RSVR/AIVRS.

Courtesy:

The RSVR/AIVRS will provide office space for visiting DSU employees that are providing rehabilitation services to American Indians with Disabilities. The office space will be a confidential setting with a desk, chairs, a phone, and internet connection.

This cooperative agreement will be effective from the date of signing for an indefinite period of time. It will be reviewed and updated if necessary.

Disputes involving this agreement shall be resolved by the respective DSU director and the RSVR/AIVRS director. All disputes will be resolved in a timely manner.

Either party may terminate this agreement within sixty (60) days with written notification to the other party.

Rodney Bordeaux,

Date

President of Rosebud Sioux Tribal

Lionel Bordeaux,
President of Sinte Gleska University

Date

Shawnie Rechtenbaugh
Shawnie Rechtenbaugh
Cabinet Secretary, Department of Human Services

4-17-20
Date

Eric Weiss
Eric Weiss,
Division of Rehabilitation Services Director

4/2/20
Date

Gaye Mattke
Gaye Mattke,
Service to the Blind and Visually Impaired Director

4/2/2020
Date

Attachment I Referral Process

The following ~~are~~ agreed upon procedures will ensure that continued vocational rehabilitation services are provided to American Indian clients who return to or leave the reservation.

Case file information will be made available upon request and receipt of a Release of Information form signed by the client for the DSU contact person to make a referral to the AIVRS contact person or for the AIVRS contact person to make a referral to the DSU contact person with the following:

- Any known information of the client's new address and other pertinent information,
- The current status of the case or action that the DSU intends to take regarding the client's case. If it is determined that both the DSU and AIVRS will have an active case on the client, then refer to Attachment II for dual case management procedures.

ROSEBUD SIOUX TRIBE-2020
Rodney M. Bordeaux - Tribal President
Scott Herman - Vice-President
 PO Box 430-Rosebud SD 57570
 605-747-2381

Wayne Boyd
Tribal Secretary

Stephan DeNoyer, III
Tribal Treasurer

Edward Clairmont
Sergeant-At-Arms

~~**ANTELOPE COMMUNITY**~~

~~Totes Wain
 PO Box 587
 Mission SD 57555~~ **319-1063**

OKCREEK COMMUNITY

Wilda Wooden Knife **319-0099**
28172 US Hiway 18
Mission, SD 57555

BLACK PIPE COMMUNITY

Russell Eagle Bear **441-9884**
PO Box 22
Norris SD 57560

PARMELEE COMMUNITY

Eileen Shot **828-1337**
PO Box 303 **747-2373**
Parmelee SD 57566

BULL CREEK COMMUNITY

Lisa White Pipe **208-2122**
524 E. 6th Street **319-9293**
Gregory SD 57533

~~**RING THUNDER COMMUNITY**~~

~~**Martha Blue Thunder** **319-1658**
PO Box 864
Mission SD 57555~~

BUTTE CREEK COMMUNITY

C. Steve Brave **452-3337**
PO Box 425 **319-6352**
Wood, SD 57585

ROSEBUD COMMUNITY

Lenard "Shadow" Wright **319-1787**
PO Box 780
Mission SD 57555

CORN CREEK COMMUNITY

Arlene R. Black Bear **319-1587**
PO Box 83
Norris SD 57560

SOLDIER CREEK COMMUNITY

Kathleen Wooden Knife **747-2057**
PO Box 941 **840-9071**
Mission SD 57555

GRASS MOUNTAIN COMMUNITY

Rita Means **319-1224**
POB 398
Rosebud, SD 57570

SPRING CREEK COMMUNITY

Lila Kills In Sight **747-5217**
PO Box 854 **840-9072**
Rosebud SD 57580

HE DOG COMMUNITY

Clifford "Chums" Lafferty **319-1632**
Box 25
Parmelee SD 57566

ST. FRANCIS COMMUNITY

Sharon L. Swift **319-1791**
PO Box 363 **747-5249**
St. Francis SD 57572

HORSE CREEK COMMUNITY

Robert Rattling Leaf **828-6577**
229 Eagle Dog Street
White River SD 57579

~~**SWIFT BEAR COMMUNITY**~~

~~**James Leader Charge** **319-1359**
PO Box 76
White River, SD 57579~~

IDEAL COMMUNITY

Shizue LaPointe **842-1227**
648 W. 4th St **840-9070**
Winner SD 57580

TWO STRIKE COMMUNITY

Richard "Smokey" Whipple **828-0846**
PO Box 426
Rosebud SD 57580

MILKS CAMP COMMUNITY

Byron Andrews **441-9855**
29858 35th Ave
Bonesteel, SD 57317

UPPER CUT MEAT COMMUNITY

Dwight Damian Spotted Tail **319-0965**
PO Box 212
Rosebud, SD 575870


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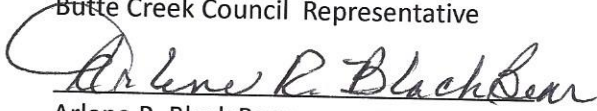
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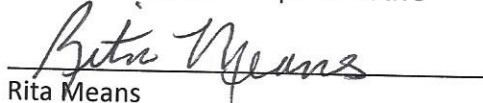
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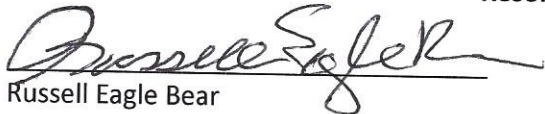

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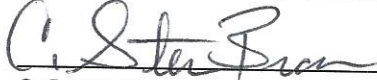
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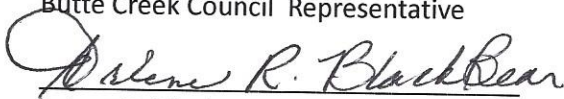
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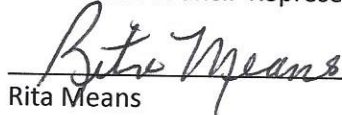
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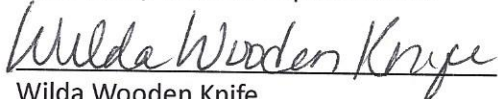
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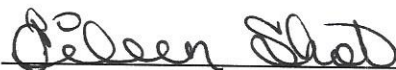
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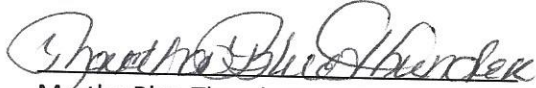
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- WHEREAS,** the Constitution and By-laws of the Rosebud Sioux Tribe Article IV Section 1 (a) authorizes the Tribal Council to negotiate with the Federal, State and local governments on behalf of the Tribe; and
- WHEREAS,** The Rosebud Sioux Tribe Vocational Rehabilitation Agencies has proposed the Rosebud Sioux Tribe authorize a Cooperative Agreement with the South Dakota Department of Human Services and the American Indian Vocational Rehabilitation Services to effectively and efficiently provide rehabilitation services to eligible American Services with disabilities who reside on or near the Rosebud Indian Reservation; and
- WHEREAS,** Section 121 of the Rehabilitation Act authorizes discretionary grants for services provided by tribal agencies to American Indians with disabilities residing in the State to the same extent as the designated State agency provides such services to other significant populations of individuals residing in the State; and
- WHEREAS,** The cooperative agreement will be effective from the date of signing for an indefinite period of time, will be reviewed and updated in necessary, and either party may terminate the agreement within sixty (60) days written notification to the other party; and
- WHEREAS,** Disputes involving this agreement shall be resolved in a timely manner; and
- WHEREAS,** the Rosebud Sioux Tribal Council finds it is in the best interests of the Rosebud Sioux Tribe to approve the Cooperative Agreement with the South Dakota Department of Human Services and the American Indian Vocational Rehabilitation Services to effectively and efficiently provide rehabilitation services to eligible American Services with disabilities who reside on or near the Rosebud Indian Reservation; and
- THEREFORE BE IT RESOLVED,** that the Rosebud Sioux Tribal Council hereby agrees with the terms and provisions of the Cooperative Agreement with the State of South Dakota Department of Human Services and the American Indian Vocational Rehabilitation Services; and
- BE IT ALSO RESOLVED,** That the President of the Rosebud Sioux Tribe or his authorized delegate is authorized and directed to sign and execute the Cooperative Agreement;


Delores Totes Waln
Antelope Council Representative

7-27-20
Date

ROSEBUD SIOUX TRIBE
Resolution No. 2020-162


Martha Blue Thunder
Ring Thunder Council Representative

7-27-20
Date

Lenard Wright
Rosebud Council Representative

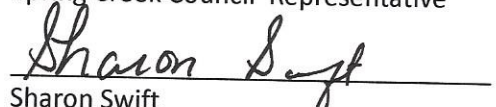
Date

Kathleen Wooden Knife
Soldier Creek Council Representative


Date

Lila Kills In Sight
Spring Creek Council Representative

Date


Sharon Swift
St. Francis Council Representative

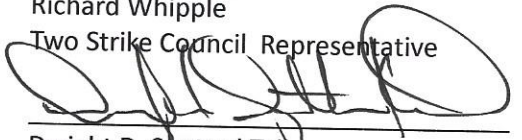
7-27-20
Date


James Leader Charge
Swift Bear Council Representative

07-27-2020
Date

Richard Whipple
Two Strike Council Representative

Date

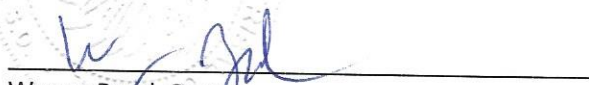

Dwight D. Spotted Tail
Upper Cut Meat Council Representative


07/28/2020
Date

CERTIFICATION

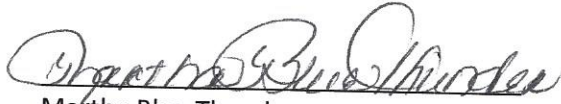
This is to certify that the above Resolution No.2020-162 was duly circulated and signed by representatives of the Rosebud Sioux Tribal Council. Said petition was duly passed, as signed by a majority of the Rosebud Sioux Tribal Council.

ATTEST:


Wayne Boyd, Secretary
Rosebud Sioux Tribe


Rodney M. Bordeaux, President
Rosebuds Sioux Tribe

ROSEBUD SIOUX TRIBE
Resolution No. 2020-162



Martha Blue Thunder
Ring Thunder Council Representative

7-27-20
Date

Lenard Wright
Rosebud Council Representative

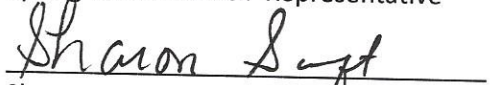
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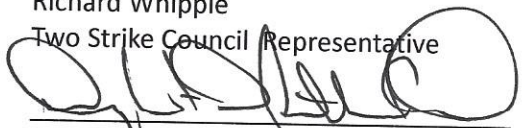
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Date



Dwight D. Spotted Tail
Upper Cut Meat Council Representative


07/28/2020
Date

CERTIFICATION

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ATTEST:


Wayne Boyd, Secretary
Rosebud Sioux Tribe


Rodney M. Bordeaux, President
Rosebuds Sioux Tribe