

Miniwakan Tiyospaye News



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Notes on Knowing your Legal Rights

By: Willie Davis, Disabled Person, and SLC Consultant

All Americans, regardless of national origin, creed, race or disability should be provided the necessary protection and rights guaranteed under the United States Constitution and additional amendments by Congressional Acts. However, most do not know that they have such rights. Not only do civil rights bestow certain liberties, but also the Rehabilitation Act and the Americans with Disabilities Act provide additional protection to individuals with disabilities. For those individuals with a disability or special need, knowing your rights can be very empowering. You have the opportunity to take control of your own life. When confronted with an issue that affects your personal rights, you should be at a greater awareness and try to resolve the situation.

Not all disabilities are the same and one way of providing rights to one person may not be the same when handling the case of another. Everyone's needs are different and should be looked at case by case. The laws are there to protect and guarantee, not just to label.

In reference to American Indian/Native American disabled tribal members, there is limited protection with making sure that our rights are being met. For instance, the Rehabilitation Acts, the Americans with Disabilities Act, and subsequent titles only apply to school settings. In fact, that ADA has an exemption for all tribal entities, meaning that a tribe has sovereign immunity in complying with the Act. The only exceptions are those agencies receiving Federal funds that specifically mandate full compliance for inclusion of students or employees with disabilities or special needs.

Although it is difficult to obtain the legal rights that you are entitled to, it is empowering to go after what is legally yours and receive the attention you need. The first step is to look for resources in your area. This edition of the Miniwakan Tiyospaye News includes information on how to find these resources and services.

Diabetes Program on the Turtle Mountain Indian Reservation

By: Willie Davis, Turtle Mountain Tribal Member & SLC Consultant

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A federal grant and the Indian Health Service fund the Turtle Mountain Tribal Diabetes Program (TMTDP). The program was created because of the need to help tribal members with diabetes. With the increasing rate of people with diabetes on Indian reservations, tribal representatives are seeing the need to place funding in this area. There is also a Diabetes Coalition that provides awareness, education and information through workshops, conferences and other community gatherings. Individuals are supported through the efforts of several members serving on the Diabetes Committee.

The local Indian Health Services (IHS) works closely with the Diabetes program to implement a comprehensive Diabetes Prevention and Health plan. There are community screenings and workshops provided in conjunction with a Diabetes Clinic provided by IHS to those tribal members with Diabetes, offered once a week. The IHS recently opened up a cafeteria within the facility, which provides employees and community members with a healthy assortment of the dietary food choices.

The IHS works closely with the Diabetes program along with the Community Health Nurses to provide outreach support for tribal members with diabetes. Staff at the Tribal Diabetes Program goes into schools and measures the height and weight of students and checks for diabetes. The parents of the children who are found to be at high risk for diabetes are sent letters and invited to an education class to learn how to prevent diabetes occurring in their children. This is done in grades K-8th. There is also a close working relationship with the Turtle Mountain Community College in providing walking, maintaining a healthy lifestyle, and other nutritional classes.

The TMTDP supports and promotes tribal members to participate in the local Fitness program. Individuals with diabetes get a free membership pass to the two fitness centers in our community. This encourages them to be active by exercising to help control their glucose levels. Many tribal members are encouraged to take time to walk and maintain a healthy routine.

“With the increasing rate of people with diabetes on Indian reservations, tribal representatives are seeing the need to place funding in this area.”

Community Resources for Parents

By: Willie Davis, SLC Consultant

This article is a reflection of my first hand experience over the last 20 years in working at the national, state and local levels, providing services, lobbying, coalition building and networking for persons with disabilities. A note for staff members working with parents: you should have all the information, facts, and anticipated questions prepared in advance, so that you can alleviate any unpleasant feelings. It is better to be equipped than to look like you are fumbling to gather their feedback. They will trust you if you seem organized, prepared, and well informed. Also, take note on what they know about their child's disability, what types of services they have received, what has worked and who has aided them in the past.

When locating services for individuals with disabilities in your community, it is best to start at your local social services agency or public office. If the individual is still in the school system, then the Guidance Counselor, Teacher, Case Manager, or other team member can refer you to a service provider or at least a network system that could point you in the right direction. A parent or family member needs to establish a contact person in the community that they feel can best help their child not only during school years, but when pursuing training and/or employment opportunities. You can find such a person working in the Vocational Rehabilitation Program or other Public Service agency, i.e., social services, tribal headquarters.

For those individuals with a disability living on or near an Indian reservation, locating services can be difficult and time consuming. In these cases, much of the accountability falls upon school systems with special education programs and the Tribal Council and state or federal programs that are designated to provide assistance to rural communities and Indian reservations. It is generally up to the individuals and the community to try and identify resources. Recently, there has been a movement on tribal reservations to review the need to establish a priority for those tribal members with disabilities. With the input and support of disabled coalition groups, this could be a great achievement for Indian Tribes.

A good practice for parents when locating resources is to build a network. Keep a listing of these names in a file with other necessary paperwork on your child's disability. This will help provide the necessary information and required assistance for your child. It would also benefit yourself and your child if you got involved in community support programs or became active in community coalition or boards. This will help you better understand the laws, i.e., civil rights, IDEA, Rehab Acts, ADA, that promote the inclusion of lives for persons with disabilities. You will also gain knowledge on how to better assist your child in living independently and productively.

The overwhelming consensus that I have found from parents is to establish a follow-up. An individual with a disability who is graduating needs options. As one parent stated to me, "just because my child has a severe mental and physical disabilities, they should not be limited in their opportunities once they graduate from high school".

Community Resources continued

Identifying resources early in the child's life, including school and community options need to be established early and continually reviewed until they complete secondary education. With a referral process and community support system in place, the individual with a disability will have chance to live the way they should.

Additional Information to Links to National, State and local Resources for Parents with Children with Disabilities:

www.childrensdisabilities.info

Children's Disability Information includes articles, interviews, and books for parents with special needs. The family who created this site has an 18-year-old child with special needs and developed the website to help other parents of children with special needs.

www.disabilityresources.org/PARENTS-OF.html

The Disability Resource Monthly Guide to Disabilities is a non profit organization established to promote and improve awareness, availability and accessibility of information that can help people with disabilities live, learn, love, work and play independently. They disseminate information about books, pamphlets, magazines, newsletters, videos, databases, government agencies, and other hard to find information to help people with disabilities live independently.

www.kidsource.com/kidsource/pages/newborns.disabilities.html

Kids Source Online contains information such articles, products, toys, recreation, safety tips, and forums for parents of infants with special needs. You can also access additional information on resources for grades K-12.

www.chp.edu/parents/01_community_resources.php

The Children's Hospital of Pittsburgh provides healthcare information that addresses the specific needs of children with complex medical problems. This information includes a variety of resources on specific diagnosis, local resources, products, legal issues, financial planning, and community connections.

www.cfw.tufts.edu

Tufts University Children & Family Web Guide has links to the best sites on family parenting, parent's rights: special education and the law, children with disabilities, federal special education laws, and gifted children.

www.accesspress.org/organizations.htm

Access Press Sources and Resources works to inform the disability community about topics of concern and provide accurate information about disability issues to the general public, promoting equal access for people with disabilities in all areas of life.

www.thescizone.com

The Spinal Cord Injury Zone provides reliable information on spinal cord related injuries. Community members can post information of importance to the web site.

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Community Resources continued

www.comeunity.com/special_needs

Come Unity Children's Disabilities and Special Needs has information for parents with children with special needs. Includes articles, what's new, assistive devices, and other resources online.

www.ed.gov/parents/needs/speced/edpicks.jhtml

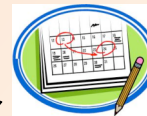
Ed.gov gives the answers to FAQ's, a guide to the IEP, technical assistance, dissemination network, a overview of laws against discrimination, equal opportunity laws, a listing of various disabilities with a search engine, and other national resource agencies.

www.ilresources.com/ResourcesEd.htm

Special Education/Teaching and Learning Material/Software, Independent Life Resources, includes education, teaching resources, learning materials, assistive devices and software. Provides the most up to date web links.

www.med.umich.edu/1libr/yourchild/disabsex.htm

Sexuality and Kids with Disabilities or Chronic Illness: A resource list with information on training parents with children who have special needs, from birth to childhood.



Upcoming News and Events

CANAR – Consortia of Administrators for Native American Rehabilitation:

Spirit Lake Consulting, Inc. will be an exhibitor at the Consortium of Administrators of Native American Rehabilitation meeting in Washington, D.C. on February 19-21. We will be demonstrating our Disability Access, Caring for Our People and Leadership Training CDs. We will also be giving out free samples of all our latest products. Stop by and see what SLC can do to make life better for you, your family and those you serve.

Altering your Perspective – 9th Annual “Educating the Bilingual Student” Conference:

We will also be presenting at this conference, which is scheduled for May 9th, 2007, at UC Riverside, sponsored by the Language and Learning Institute. This conference will provide information on successful practices of educating English language learners.

Did you get this newsletter forwarded from a friend or colleague? Want to get your own copy every other week? Email Jessica@spiritleakeconsulting.com to be added to our mailing list.