

Memorandum of Understanding on Transition of Students with Disabilities to the Workforce

**Office of Developmental Disabilities Services
Oregon Vocational Rehabilitation Services
Oregon Department of Education
Oregon Council on Developmental Disabilities**

Vision: Through strong agency collaboration, youth with disabilities will transition into competitive integrated employment or post-secondary education/training.

1. Recitals and Purpose

- 1.1 Nationally, many individuals with disabilities are significantly unemployed or underemployed upon leaving school, compared to their peers who do not have disabilities.
- 1.2 Preparation for integrated, inclusive employment, for individuals with disabilities should begin early in a child's life and extend through transition from school to post-secondary education or the workforce.
- 1.3 Together with Executive Order No.15-01, this Memorandum of Understanding (MOU) recognizes that, while the State cannot guarantee jobs, Oregon starts with the presumption that everyone can be employed in an integrated setting in a community-based job. This MOU is based on the principle that, to the extent services and supports can be made available, any person can be employed. Oregon is not guaranteeing anyone a job, but with significant additional resources, Oregon is optimistic that all persons with IDD will have an opportunity to obtain integrated employment.
- 1.4 Oregon Vocational Rehabilitation Services (VR), Office of Developmental Disabilities Services (ODDS), Oregon Department of Education (ODE) and the Oregon Council on Developmental Disabilities (OCDD) share a common responsibility, philosophy and goal of increasing the number of transition age youth with disabilities who successfully transition from school to competitive integrated employment or post-secondary education.
- 1.5 Therefore, to support and increase the number of students with disabilities transitioning from secondary schools to competitive integrated employment or post-secondary education, VR, ODDS, ODE and OCDD enter into this memorandum of understanding.

2. Definitions

- 2.1 Competitive Integrated Employment: Consistent with the federal Workforce Innovation and Opportunity Act (WIOA), means work that is performed on a full-time or part-time basis (including self-employment) for which an individual:
 - a. Is compensated at a rate that:

- (1) Meets or exceeds state or local minimum wage requirements, whichever is higher; and
 - (2) Is not less than the customary rate paid by the employer for the same or similar work performed by other employees who are not individuals with disabilities, and who are similarly situated in similar occupations by the same employer and who have similar training, experience, and skills; or
 - (3) In the case of an individual who is self-employed, yields an income that is comparable to the income received by other individuals who are not individuals with disabilities, and who are self-employed in similar occupations or on similar tasks and who have similar training experience, and skills.
- b. Is eligible for the level of benefits provided to other employees.
 - c. Is at a location where the employee interacts with other persons who are not individuals with disabilities (not including supervisory personnel or individuals who are providing services to such employee) to the same extent that individuals who are not individuals with disabilities and who are in comparable positions interact with other persons; and
 - d. As appropriate, presents opportunities for advancement that are similar to those for other employees who are not individuals with disabilities and who have similar positions

2.2 Employment Services: Services provided by ODDS or VR that are intended to assist a person with I/DD to choose, get, learn, and keep work in an integrated employment setting. Employment Services shall be "individualized," meaning that services shall be individually planned, based on person-centered planning principles and evidence-based practices, where applicable. Employment may include post-secondary education and/or training to the extent they are reinforced in an individual's Individual Support Plan (ISP) or Individual Plan for Employment Services.

2.3 Transition Services: A coordinated set of activities for transition-aged students that:

- (1) Is designed to be within a results-oriented process, that is focused on improving the academic and functional achievement of the student to facilitate the student's movement from school to post school activities, including postsecondary education, vocational education, integrated employment (including supported employment), continuing and adult education, adult services, independent living, or community participation;
- (2) Is based on the individual student's needs, taking into account the student's preferences and interests; and
- (3) Includes:
 - (A) Instruction;
 - (B) Related services;
 - (C) Community experiences;
 - (D) The development of employment and other post school adult living objectives; and
 - (E) If appropriate, acquisition of daily living skills and functional vocational evaluation; and

- (4) May be special education, if provided as specially designed instruction, or related services, if required to assist a student with a disability to benefit from special education consistent with 34 CFR 300.43 (a) and 20 U.S.C. 1401 (34).

3. Parties

- 3.1 VR assists individuals to identify their strengths, skills, interests and abilities as well as vocational goals and develops individualized plans of employment to address the identified employment barriers. VR also provides and purchases goods, services, aids and devices in support of individualized plans for employment.
- 3.2 The ODDS provides supports and services to children and adults with intellectual and developmental disabilities. Eligible individuals and their families can access service coordination, generic and specialized services to provide the support, including appropriate employment support, based on the individual needs of the person, to be able to live independent, productive lives integrated within their community.
- 3.3 The ODE implements public education policies for eligible students with disabilities birth through transition services at age 21. ODE is responsible for ensuring education services are provided under the Individuals with Disabilities Education Act (IDEA), which includes planning and implementing transition services for students with disabilities.
- 3.4 The OCDD is an agency authorized under the Developmental Disabilities Assistance and Bill of Rights Act of 2000 (DD Act) to “engage in advocacy, capacity building and systemic change activities” for people with developmental disabilities. 42 U.S.C. 15001(b)(1). OCDD is committed to increasing transition and employment opportunities for people with developmental disabilities.

4. Agreement Goals

- 4.1 Youth with disabilities will transition into post-secondary education/training, or competitive integrated employment that supports their full inclusion in their communities.
- 4.2 Address systems, policy and funding issues that impede the continuous provision of transition services by ODDS, VR and ODE and align policy and practice from the state to local level;
- 4.3 Increase by joint efforts and coordinated services, the number of youth who make a successful transition from school to competitive integrated employment or postsecondary education;
- 4.4 Foster innovation in program design and service delivery across agencies;

- 4.5 Build system sustainability by intentional resource direction and management, and program design;
- 4.6 Utilize common communication strategies to consistently share information with internal and external stakeholders; and
- 4.7 Establish roles and strengthen collaboration and coordination between each party to this memorandum of understanding when serving youth with disabilities, so that individuals and their families may experience seamless, non-duplicative, and transparent services.
- 4.8 Implement expectations established in state or federal regulations and laws that relate to the goals of this agreement.

5. Implementation and Governance Structure

- 5.1 This agreement will be implemented through the project planning and management structure developed to carry out the DHS Employment First policy and Executive Order 15-01. Activities related to the goals and responsibilities of this agreement will be assigned to project work groups or state work units included in this structure. Overall monitoring and review of the implementation of this agreement will be assigned to the Education Workstream.

6. Mutual Responsibilities of the Parties

- 6.1 Participate in, the governance structure aimed at implementing this agreement.
- 6.2 Work collaboratively to design a coordinated service system that will produce positive employment outcomes and engage services, service coordinators, brokerage personal agents, school districts, vocational rehabilitation, youth with disabilities, families, employers, service providers, workforce system and other stakeholders at the local level;
- 6.3 Identify and implement evidence based and other best or emerging practices to achieve the priority goals and outcomes of this agreement, including increased and leveraged funding and sequenced funding strategies;
- 6.4 Align policy and practice at the state and local level, including by participating in the Policy Group as defined in Executive Order No. 15-01 or any subsequent Order to achieve the goals of the Executive Order, and provide recommendations for policy and legislative changes to address gaps and barriers in the system that prevent successful transition;
- 6.5 Implement coordinated transition services at the local and state level;
- 6.6 Determine gaps in transition services and implement a plan to eliminate those gaps;

- 6.7 Build capacity across the systems that interact with youth with disabilities to effectively address problems and implement innovative programs to create positive employment outcomes for youth with disabilities;
- 6.8 Create common metrics that each party to this agreement will collect and share. Integrate the metrics into the Integrated Employment Plan and reports required under Executive Order No. 15-01.
- 6.9 Share responsibility for publication, dissemination, and explanation of this agreement, as well as any accompanying materials;
- 6.10 Identify and disseminate information about transition services, employment services, effective practices, training and funding strategies that create positive employment outcomes to agency staff, partners, families, individuals, and public and private stakeholders;
- 6.11 Support Employment First local leadership teams , which include providing technical assistance to school districts and counties, disseminating information, and participating in staff development activities;
- 6.12 Develop and provide common trainings and professional development opportunities to improve transition and employment results for youth with disabilities. These trainings shall develop core competencies, skills and expectations of agency employees and staff;
- 6.13 Provide directories of resource information to all collaborating agencies, including descriptions of services and supports and contact information that can be linked and used on separate or mutually designed websites. The resources should include name and location of VR offices, Community Developmental Disability Programs (CDDP's), Support Service Brokerages and local contact information for schools;
- 6.14 Develop and distribute to other agency partners to this agreement: notices, memorandums and other information that relate to transition to employment for people with disabilities; and
- 6.15 Give timely notice to other agency partners to this agreement of proposed rule amendments or other major policy decisions relating to youth transition services. Implicit in this notice is the opportunity for the partner agencies to comment on the proposed rule amendments or policy changes.

7. Individual Party Responsibilities

- 7.1 In addition to the mutual responsibilities listed in Section 6 of this agreement, ODE agrees to do the following:

- A. Share data, within the bounds of confidentiality, of students with disabilities regarding transition services and outcomes;
- B. Advise school districts to invite, with parent and student (when appropriate) consent, appropriate representatives from any system connected with the youth such as VR and ODDS to IEP transition meetings;
- C. Provide Oregon schools with a contact list for VR and ODDS to encourage the identification of a school district or school building contact person needed for VR/ODDS collaboration;
- D. Encourage educators, parents, and youth to participate in county Employment First local leadership teams;
- E. Encourage networking and collaboration among ODE, VR and ODDS, educators, parents, and youth; and
- F. Cooperate with the VR, ODDS, and OCDD in their efforts to improve consistency and level of engagement in the transition process.
- G. Transition Network Facilitators will help to connect each school district with an assigned VR office and/or VR contact.

7.2 In addition to the mutual responsibilities listed in Section 6 of this agreement, VR agrees to do the following:

- A. Gather employment outcome data regarding the students who receive transition services under this agreement and to share that information with ODE, ODDS, and OCDD;
- B. Advise VR staff to attend, with parent and student (if appropriate) consent, IEP meetings to provide employment information, technical assistance, case consultation, and information/referral as needed; and
- C. Provide a local contact for each school district.

7.3 In addition to the mutual responsibilities listed in Section 6 of this agreement, ODDS agrees to do the following:

- A. Provide available employment data regarding individuals in long-term employment situations, and encourage and promote collaboration in transition planning between schools districts, ODDS and VR.
- B. Advise Community Developmental Disability Programs, Support Service Brokerages, and service providers about the importance of participating at IEP/IPE/ PCP(Person Centered Plan)/Career Development Plans meetings for individuals who they support, and encourage the individual's full participation during the meetings;
- C. Contribute information to the Oregon Employment First website to keep stakeholders and the public informed about collaborations and networking activities between agencies; and

7.4 In addition to the mutual responsibilities listed in Section 6 of this agreement, OCDD Agrees to do the Following:

- A. Continue to support Oregon Family Networks to give families the support and information resources to envision a future for their child that includes employment or post-secondary education.
- B. Continue to support Person Centered Planning by training plan facilitators who are engaged and qualified to assist families and youth with disabilities create effective transition goals.
- C. Collaborate with ODE, VR and ODDS to publish school to work transition materials for students and families as resources to guide the transition planning process. Periodically update the materials to reflect changes to law, rule, policy and practice impacting transition and other agency services.

8. Agreement Revisions

8.1 The parties agree to formally review this agreement at least every two years.

8.2 The parties agree to revise this agreement as necessary.

8.3 This agreement supersedes and replaces the Memorandum of Understanding on Transition of Students with Disabilities to the Workforce executed on the 16th day of May, 2013. The agreement executed on the 21st day of March, 2013 is of no effect.

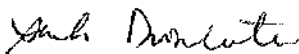
9. Resolution of Conflicts

9.1 Parties intend to work together to resolve disputes.

10. Consistent with Executive Order

10.1 This Memorandum of Understanding shall be read as consistent with Executive Order No. 15-01.

Dated this 2nd day of February, 2015.



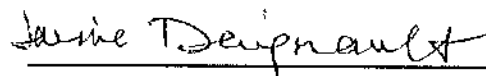
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