

INTER-DEPARTMENTAL AGREEMENT between NEBRASKA VOCATIONAL REHABILITATION and the OFFICE OF SPECIAL EDUCATION

I. Purpose

The Special Education Department (SPED) and Nebraska VR (Division of Rehabilitation Services) share responsibility to prepare students with disabilities for successful community employment. The purpose of this inter-departmental agreement between Nebraska VR (79-11,124) and the Special Education Department of the Nebraska Department of Education is to facilitate the integration and coordination of pre-employment transition services, transition services and other VR services as students with disabilities move from school to post-secondary education and/or employment. Specifically, the intent of this agreement is to:

- Define the responsibilities of both departments within a tiered system of support;
- Provide for efficient and effective utilization of resources;
- Minimize duplication; and,
- Delineate a basis for continuous, effective working relationships between the two departments

This document supplements the information in the Memorandum of Understanding between Vocational Rehabilitation and the Office of Special Education for Pre-employment Transition Services (WIOA) and Transition Services (IDEA) Coordination executed on 10/18/2016. This document provides further detail relating to the following areas:

II. Consultation and Technical Assistance

Nebraska VR staff will provide consultation and technical assistance to Local Educational Agencies (LEAs) and potentially eligible students with disabilities. These services are intended to benefit students with disabilities as they transition from school to post-secondary life related to an employment outcome. These services are to assist school personnel in developing a seamless system of transition for all students. A vocational rehabilitation counselor or pre-employment transition counselor will work in concert with educational agencies designated by SPED to provide services for individuals who are receiving special education services under an IEP or individuals who are eligible for the receipt of services in a school setting for the purposes of Section 504 to provide pre-employment transition services to individuals who are potentially eligible but have not yet applied for Nebraska VR services. Services may include, but are not limited to, group tours of universities and vocational training programs, employer or business site visits to learn about career opportunities, career fairs coordinated with Workforce Development partners and employers to facilitate mock interviews, resume writing, job exploration counseling, work place readiness, work-based learning, counseling on opportunities at post-secondary institutions, self-advocacy and other general services applicable to groups of students with disabilities. These services are generally provided with groups of students who are under an IEP or eligible for the purposes of Section 504, but may be delivered individually if the class schedule is not conducive to group work. Pre-employment transition services (Pre-Ets) are considered an early start on career exploration for students with disabilities and are provided to students under a Pre-employment Transition Consent and Release Form. Additionally, students with disabilities may receive more intensive and goal oriented transition and other VR services when they complete an application and the eligibility process for VR services.

Educators will request consultation and technical assistance services from Nebraska VR when needed to plan for individual transition needs, including development of the individual's impediments to employment and provide information available. Consultation and technical assistance may be provided in person or through alternative means, such as video conference and conference calls.

In a multi-tiered system of support (MTSS), Nebraska VR involvement is directly related to the level of support needed by the student and the point at which Nebraska VR involvement is required.

III. Transition Planning

Nebraska VR counselors and educators are both responsible for the development and completion of the transition component of a student's Individual Education Program (IEP) in concert with the student, the parents, and the IEP team. Nebraska VR involvement in the IEP development and completion will be determined by individual student need. Pre-employment transition services are provided to students in the 14-21 age range. IEP teams and Nebraska VR counselors will consider four factors to determine when employment preparation should start and the intensity of the services that should be provided:

1. Student knowledge and skills;
2. Student learning characteristics, including student response to ease of accessibility and accommodations;
3. Complexity of support needs; and,
4. Number of environments effected.

The more intense the need for services, the earlier preparation should start and the more people who have specialized knowledge (e.g. work experience counselors, Nebraska VR counselors) should be involved. This involvement may be provided by Nebraska VR without a case record, but instead as part of the pre-employment services (Pre-Ets) provided. These services can be conducted in a group setting and will require collaboration to determine the Pre-Ets activities that are needed by that specific LEA and will suit the students in that setting. When appropriate due to scheduling and other factors they may be provided individually when such conflicts prevent the service from being provided in groups. Pre-Ets activities can be provided as soon as a Pre-Employment Transition Consent and Release Form is signed by the student and his/her parent or guardian, if under the age of 19. A parent signature on the Pre-Employment Consent and Release Form is sufficient to declare a disability for the purposes of receiving Pre-Ets as distinct from the application and eligibility process required for more intensive individualized Nebraska VR services.

The local school district and Nebraska VR must collaborate to ensure the provision of the following pre-employment transition services to students:

- (1) job exploration counseling;
- (2) work-based learning experiences;
- (3) counseling on opportunities for enrollment in comprehensive transition or post-secondary educational programs at institutions of higher education;
- (4) workplace readiness training to develop social skills and independent living; and,
- (5) instruction in self-advocacy, which may include peer mentoring

Furthermore, after the provision of the required pre-employment transition activities, pre-employment transition funds may be used to improve the transition of students with disabilities from school to postsecondary education or an employment outcome by implementing authorized activities that could include developing model transition demonstration projects, providing training for VR counselors and

teachers, and implementing effective strategies to increase the likelihood of independent living and inclusion in communities and competitive integrated workplaces, with an emphasis on improving outcomes for students with the most significant disabilities.

Those students who require more intensive services in order to learn, understand and apply the information from Pre-Ets activities will be encouraged to submit an application for Nebraska VR services. Intense services may not be provided without the student having been determined eligible and served under an Individual Plan for Employment (IPE). It is anticipated that most students will be served under a Pre-Ets category until they desire or require more intense services as they approach graduation.

Nebraska VR staff will review information for students who submit an application for services and LEAs will share existing information which will assist Nebraska VR in determining a student's eligibility. If needed, students will participate in additional assessment(s) to determine eligibility. The scheduling of these assessment(s) will require collaboration between Nebraska VR and the LEA staff members.

Once an eligibility determination has been made by Nebraska VR, within 60 days of an application unless an extension is approved, the decision will be shared with the LEA staff. This information will be considered as part of the student's transition plan within the IEP.

Nebraska VR counselors will develop an IPE for each individual determined to be eligible for Nebraska VR services within 90 days of eligibility, unless an extension has been approved. The student, parents, educators and Nebraska VR counselors will collaborate so that the goals of the IEP and the IPE will be consistent with one another.

IV. Roles, Responsibilities and Financial Obligations

Each division shall be responsible for the costs they incur in carrying out this agreement, including:

Nebraska VR	SPED
<ul style="list-style-type: none"> ❖ Provide pre-employment transition services in collaboration and coordination with the LEA, ensuring that services (including individualized services under an IPE) are not duplicative nor do they supplant existing LEA services. ❖ Use assessment information provided by education to provide appropriate Pre-Ets and to determine eligibility and services. Securing additional assessment only when necessary and assuming financial responsibility for the cost of additional information. ❖ Provide consultation and technical assistance to educators. ❖ Participate in the development of the employment and related components of the IEP, based on individual need. ❖ Develop an IPE for students within 90 days of eligibility, unless an extension is approved. 	<p>Will ensure LEAs understand their responsibilities to:</p> <ul style="list-style-type: none"> ❖ Provide all existing educational assessment and performance information relevant for the determination of Nebraska VR eligibility and to assist in the delivery of Pre-Ets to students. ❖ Request consultation and technical assistance from Nebraska VR counselors when needed for planning and implementing transition services. ❖ Consult with Nebraska VR staff for identification of student's vocational needs and services. ❖ Develop and complete the employment component of the IEP, based on individual need. ❖ Ensure IEP employment goals are consistent with IPE goals, where appropriate.

<ul style="list-style-type: none"> ❖ Ensure the IPE goals are consistent with the IEP employment goals. ❖ Provide or arrange for services required by the IPE goal, when the individual has been determined eligible for Nebraska VR services and has an individual employment plan where the services are needed for the student's specific employment outcome. ❖ Provide assistance in the purchase of tools, supplies and other job related personal expenses for Nebraska VR eligible students who have demonstrated success as it relates to the IPE goal. ❖ Arrange and pay for job development needed to serve the most significantly disabled students who require supported employment services. If long-term supports are needed after high school, Nebraska VR will assist the LEA in coordinating these services. ❖ Assure the completion of certain service-related activities and that these activities are documented before a 14 (c) entity may begin compensating a youth with a disability at sub-minimum wage. 	<ul style="list-style-type: none"> ❖ Work with Nebraska VR staff to identify whether Nebraska VR referral is appropriate and the supports needed to complete the application. ❖ Pay for all services listed on the IEP, unless another agency or entity agrees to provide such services. ❖ Provide and/or pay for job coaching, when needed, as part of the instructional component of the IEP. ❖ Provide and/or pay for extended school year supports, as needed. ❖ Advise that the LEA will not enter into an agreement with an entity holding a special wage certificate under section 14 (c) of the Fair Labor Standards Act for the purpose of operating a program under which a youth with a disability is engaged in work at a sub- minimum wage. ❖ Refer any student with a disability known to be seeking sub-minimum wage employment to Nebraska VR and provide documentation regarding the provision of pre-employment transition services for those seeking sub-minimum wage
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V. Outreach and Identification

Scope of services: All students with disabilities may receive pre-employment transition services (Pre-Ets). This includes students who are verified for special education, students who are served under a Section 504 accommodation plan, students with a disability for the purposes of Section 504 (even if they do not have a Section 504 accommodation plan in place). A parent signature on the Pre-Employment Consent and Release Form is sufficient to declare a disability for the purposes of receiving Pre-Ets.

The mission of Nebraska VR is to provide expert, individualized services to Nebraskans with disabilities to achieve their independence through successful employment and economic support.

The determination of eligibility for VR services(as distinct from Pre-Ets), which includes an Individual Plan for Employment (IPE) requires that a qualified rehabilitation professional employed by Nebraska VR perform a comprehensive analysis of the disabling conditions, impediments to employment and justification of why the individual requires services from Nebraska VR to be successfully employed. As such, an eligibility justification is a process for the rehabilitation counselor to learn about the individual's presenting disability and gain understanding of the implications. Through a process of analysis, the Nebraska VR counselor must consider the impact of the disabling conditions upon the person's ability to work, and then synthesize the information to determine if the individual can be successful with Nebraska VR providing Pre-Ets, technical assistance and consultation to existing systems and students or if the individual requires intensive services to be successful in employment. A thorough process of developing an understanding from the individual's point of view, analyzing the information and synthesizing it in relationship to Nebraska VR requirements and then determining the priority of service and service needs involves:

1. Gather information that describes the individual's disability and the difficulty the individual is having in gaining access to services and supports to be successful in employment;
2. Analyze the information in relationship to the individual's ability to prepare for, obtain, maintain and advance in employment and how the individual can access services and supports that exist to more fully understand the implications of the individual's disability under employment;
3. Consider those impediments that have been identified to determine the seriousness on the individual's ability to prepare for, obtain, maintain or advance in employment as well as the timeframe required to successfully complete services and obtain employment that could not otherwise be obtained from other organizations; and,
4. Determine the priority for services by examining the seriousness and evaluation if the serious impediment has implications in preparing for, obtaining, maintaining or advancing in employment and the specialized services and supports that are necessary for the individual to be successful.

As appropriate to the vocational needs of each individual and consistent with each individuals' informed choice, VR must ensure that the appropriate rehabilitation services are available to assist the individual with the disability to prepare for secure, retain, regain or advance employment. These services should be consistent with the individual's unique strengths, resources, priorities, concerns, abilities, capabilities, interests and informed choices.

Note: Parental consent is not needed for the initial meeting between student and Nebraska VR staff or any related initial follow-up meetings. Written and parental consent is needed for the provision of Pre-Ets and for the completion of the Nebraska VR application for students under the age of 19 and can be obtained after the initial meeting.

SPED will strongly encourage all school personnel, including school nurses, to share educational information of students with disabilities, including electronic access to IEP's, when appropriate and necessary for Pre-Ets and Nebraska VR services. This includes referrals to Nebraska VR. Similarly, the Nebraska VR staff will share relevant information about students with disabilities when appropriate and necessary to facilitate the integration and coordination of transition services from school to post-secondary education and/or employment.

Nebraska VR staff may have access to relevant special education data and related systems in order to ease provision and documentation of services.

VI. Amendments

This agreement may be amended at any time upon mutual consent of the parties. Any amendment must be in writing and signed and dated by the parties.

VII. Term

This agreement shall be effective from January 1, 2017 through December 31, 2018. The parties, upon mutual consent and in writing, may renew this agreement for any number of two year extensions.

Signatures:



Mark Schultz, Director Nebraska VR



Steve Milliken, Director of Special Education



Matthew L. Blomstedt, Ph.D., Commissioner of Education