

**COOPERATIVE AGREEMENT
BETWEEN THE
MAINE DEPARTMENT OF EDUCATION
Special Services, Career and Technical Education and
Adult Education
AND THE
MAINE DEPARTMENT OF LABOR
BUREAU OF REHABILITATION SERVICES
Division of Vocational Rehabilitation
Division for the Blind and Visually Impaired**

Effective: December 30, 2010

Amended: September, 2011

Cooperative Agreement

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Cooperative Agreement

Maine Department of Education
Special Services, Career and Technical Education, Adult Education

Maine Department of Labor
Division for the Blind and Visually Impaired
Division of Vocational Rehabilitation

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This Agreement is between the Maine Department of Education, hereinafter referred to as "DOE" and the Maine Department of Labor, Bureau of Rehabilitation Services, Division of Vocational Rehabilitation and Division for the Blind and Visually Impaired herein referred to as "DVR" and "DBVI".

1. PURPOSE

The purpose of this Cooperative Agreement is to set forth the commitments of DOE and DVR/DBVI to cooperate to meet the needs of students with disabilities and in particular to better coordinate the process of student transition.

2. MISSION

To help students with disabilities achieve full participation in society by ensuring equal opportunity and access to education, employment and community

To achieve this mission:

- People will work together for the student's benefit
- Students and families will be included and respected
- Regular and meaningful communication will be established
- Personnel Development will be collaborative
- Data will be shared to improve outcomes

3. AUTHORITY

The legal basis for this Cooperative Agreement is found in the following federal and state statutes:

Special Education

Individuals with Disabilities Education Improvement Act (IDEA) (Public Law 108-446)

Title 20-A, MRSA

Chapter 101 Maine Unified Special Education Regulations, Birth to Age Twenty

Vocational Education

Carl D. Perkins Career and Technical Education Act of 2006 (Public Law 109-270)

Title 20-A, MRSA

Vocational Rehabilitation

Rehabilitation Act of 1973, as amended (Public Law 93-112)

Rehabilitation Act Amendments of 1998 (Public Law 105-220)

Title 26, MRSA

Assistive Technology

Assistive Technology Act of 1998, as amended (Public Law 108-364)

Section 504

Section 504 of the Rehabilitation Act of 1973, as amended (Public Law 93 -112)

4. PROGRAM DESCRIPTIONS

Division of Vocational Rehabilitation

Maine's Division of Vocational Rehabilitation (DVR) assists eligible individuals with disabilities who wish to achieve or retain employment in the community. Any individual who is committed to work and has a disability that creates a barrier to employment is encouraged to apply for assistance. Services begin with an application, eligibility determination, and a comprehensive assessment of rehabilitation needs. Counseling and guidance, the development of an individualized employment plan, and provision of services required for a specific employment goal then help people move to successful job placement. High school students are encouraged to apply or be referred for services within two years of graduation or exit from the school.

Division for the Blind and Visually Impaired

DBVI provides comprehensive blindness-specific services to children of all ages, and as part of those services, encourages referrals for transition Vocational Rehabilitation (VR) services beginning at age 14. These services assist eligible youth with blindness or visual impairments in preparing for the transition from school to work. To be eligible for VR, a student must apply and be determined to have a visual disability that creates a barrier to getting or keeping a job, and VR services must be required for the individual to find or keep a job. As part of an Individual Plan for Employment, VR services through DBVI can provide blindness-specific skills instruction, individual vocational counseling and guidance, vocational assessment, information about the skills, abilities, and training needed to qualify for employment in a specific career field, and assist in locating or developing specific training programs with special accommodations as required to achieve an employment goal. Some students receive other training, assistive devices, and job placement and follow-up services to enable them to succeed in a job. A young adult may continue to receive other independent living services from DBVI after their VR case has been closed.

Although the primary focus of this Agreement is on transition-age students, DBVI provides a variety and continuum of services to children of all ages who are blind or visually impaired. Direct services usually begin in the Education for Blind Children Program where a range of services are geared toward providing children with the blindness-specific services they need to prepare them for employment, independent living, and/or post-secondary education when they finish high school. DBVI uses its full array of specially trained blindness professionals to provide instruction and greatly expand the traditional core academic curriculum of the educational system. Often called the Expanded Core Curriculum, this blindness-specific curriculum is provided based upon the needs of the individual student and focuses on the following nine areas:

- Compensatory and functional academic skills
- Orientation and mobility
- Social interaction skills
- Career education
- Recreation and leisure skills
- Assistive technology
- Visual efficiency skills
- Self-determination
- Independent living skills

Department of Education – Special Services

Special Services provides oversight and support for the delivery of a free, appropriate public education to eligible children birth to age twenty with disabilities. (05-071 Chapter 101, Maine Unified Special Education Regulations, Birth to Age Twenty). Special Services is also responsible for ensuring fulfillment of the State's responsibilities under the federal Individuals with Disabilities Education Act (IDEA).

Special Services also works to ensure that:

- the rights of children with disabilities and parents of such children are protected
- educators and parents have the necessary tools to improve educational results for children with disabilities by supporting systemic-change activities
- research and personnel preparation are coordinated
- technical assistance, dissemination, and support are coordinated
- technology development and media services are supported

Department of Education – Career and Technical Education

Maine has a network of 27 career and technical education (CTE) schools. Additionally, service and support is provided to the seven community colleges in Maine that offer CTE programs. The mission of Career and Technical Education, as part of the educational system in Maine, is to ensure that students acquire the high-quality technical skills that will prepare them for post-secondary education and entry into an ever-changing workplace and society and meet the rigorous academic standards of Maine's Learning Results (common core standards).

Department of Education – Adult Education

If a student has not reached the age of 20 or has not received a regular education diploma (a Maine High School Equivalency Diploma is not considered a regular education diploma) then the adult education system is required to provide adult education services if the Individualized Education Program (IEP) Team determines that this is an appropriate placement and special education services are necessary to allow the student to benefit from adult education. The School Administrative Unit (SAU) of residence is responsible to provide the services included in the IEP, including one-on-one instruction if provided as a special education service and not as an adult education service. Adult Education is considered a part of the School Administrative Unit as is vocational education and the SAU has to provide the necessary supports and services to a student with disabilities.

5. RESPONSIBILITIES OF EACH PARTY

A. Outreach and Communication

DOE and DVR/DBVI will work together to inform the following entities about the existence and intent of this Agreement:

- Superintendents of Schools
- Directors of Special Education
- Parent Training & Information Center
- DVR/DBVI Regional Managers, Supervisors, and Transition Counselors
- Directors of Career & Technical Education
- Directors of Adult Education
- Client Assistance Program
- Protection and Advocacy for Beneficiaries of Social Security (PABSS)
- State Special Education Advisory Panel

The parties shall agree on methods to maintain updated information about best practices and resources related to the transition of students including the use of Dispatches and maintenance of a copy of the Agreement on the agencies' websites.

Additionally:

- DVR/DBVI will inform DOE in writing of procedural changes that may impact the eligibility of students with disabilities for vocational rehabilitation services, so that DOE may disseminate the information to local school districts
- DVR/DBVI will provide schools with an orientation video, brochures, and PowerPoint presentation on services for transition-age youth
- DVR/DBVI will provide a representative to serve as a member of the Maine Advisory Council on the Education of Children with Disabilities (MACECD)
- DVR/DBVI will provide de-identified data on an annual basis to DOE on numbers and demographics of transition-aged students served
- DVR/DBVI will provide a list of Transition Vocational Rehabilitation Counselors and the schools they serve to DOE and each school district on an annual basis
- DVR/DBVI will collect de-identified information on informal/formal complaints and due process hearings that involve school-aged youth

- DOE will notify DVR/DBVI concerning proposed changes in regulations, policies and procedures at the state or federal level that may impact students with whom DVR/DBVI works
- DOE will provide representation to the State Rehabilitation Council
- DOE and DVR/DBVI will collaborate on possible grant opportunities that have an impact on services to students
- DOE will notify DVR/DBVI of issues of mutual interest identified during monitoring or as a result of a special education due process finding
- DOE will provide information to DVR/DBVI on eligibility, availability, and accessibility of CTE programs
- DOE will provide DVR/DBVI with de-identified data on an annual basis of numbers and demographics of transition-age students with disabilities who have reached 9th grade in public and private schools across Maine
- DOE will assist DVR/DBVI to share information about vocational rehabilitation services with students with disabilities who may be eligible for VR

B. Personnel Development

In order to promote better understanding and implementation of best practices in transition planning, DOE and DVR/DBVI will collaborate to offer cross-training and joint training opportunities.

Additionally:

- DVR/DBVI will provide, at least annually, one in-house training for Vocational Rehabilitation Counselors on topics in best practices in working with transition-age youth
- DVR will support VR counselors with transition caseloads to join MADSEC and participate in regional and state meetings and training
- DVR/DBVI will provide technical assistance as requested, to DOE and school districts, on issues concerning eligibility and referral for services
- DVR/DBVI will provide technical assistance as requested, to DOE and school districts, on disability-specific information and resources
- DVR/DBVI will provide technical assistance and training as requested, to DOE and school districts on the Americans with Disabilities Act in conjunction with the State ADA Coordinator
- DOE will provide technical assistance and training on educational issues to DVR/DBVI, as requested
- DOE will provide technical assistance to schools on IEP transition plan development

C. Information and Referral

DVR – In recognition of the importance of promoting information sharing and in order to ensure an effective and timely system of referrals for DVR services, DVR requests that school personnel adopt the following process:

When a student with an Individualized Education Program (IEP) begins the transition planning process prior to entering 9th grade, the student and his/her parents or guardians will receive general information about VR services. This information will introduce VR and will inform the parents/guardians when it is appropriate to make a VR referral.

When the student to be referred is within two years of school graduation or exit, the services offered by VR should be re-introduced at the student's IEP or 504 meeting. Both the student and the parents/guardians should have an opportunity to receive materials outlining VR services and to ask questions concerning the referral. If during or after the meeting, they (or the adult student) are interested in having a referral made for services the school will assist in doing so.

VR Counselors should be invited to attend IEP meetings for students who have been determined eligible for services as well as in cases where the presence of the Counselor at the meeting would assist in determining the appropriateness of a referral to VR. VR Counselors will provide support to the IEP team to facilitate the IEP process as appropriate

Additionally:

- DVR/DBVI will provide information as requested to school personnel on access to "Long Term Support"
- Given appropriate releases, DVR/DBVI will inform the designated school case manager as to the status of the DVR referral/intake process on individual students
- DOE will provide guidance to schools on the release of information (including assessment, IEP, Summary of Performance etc.) for students who are working with DVR/DBVI or who are in the eligibility process.

D. Service Provision

In order to meet the needs of students with disabilities, DVR/DBVI and DOE will effectively provide services.

Additionally:

- DVR will determine eligibility and provide services to eligible students within two years prior to expected high school graduation or exit

- DBVI will determine eligibility and provide transition services beginning at age 14 (recommended)
- DVR will collaborate with schools on the delivery of the “Career Exploration Workshop” curriculum for eligible students with disabilities
- DVR/DBVI will participate in DOE’s efforts to maintain students in school and to prevent and reduce drop-out rates among students with disabilities
- DVR/DBVI will develop a protocol to serve students who are in out-of-district placements in accordance with current policy

6. FUNDING

This agreement does not involve any financial compensation or exchange of funds between DOE and DVR/DBVI. However, it is the expectation that in the development and implementation of services, DOE and DVR/DBVI will provide in-kind resources and will promote cost efficiency and non-duplication through collaboration. Nothing in this agreement relieves either party of the responsibility to provide or pay for any transition service that the agency would otherwise provide to a student with disabilities who meets the eligibility criteria of that agency. If a participating agency, meaning a state or local agency other than the educational agencies responsible for the student’s education, that is financially and legally responsible for providing transition services to the student fails to provide the transition services described in the IEP, the education agency shall reconvene the IEP team to identify alternative strategies to meet the transition objectives for the child set out in the IEP.

7. CONFIDENTIALITY, APPEALS, AND DUE PROCESS

Due process and confidentiality rules and procedures will be followed by each agency in accordance with its own respective federal and/or state laws and regulations. Recipients of services under this agreement will be provided information relative to the appeals procedures of each program in which they are involved.

8. IMPLEMENTATION

- **Ongoing Coordination**

Effective implementation requires ongoing communication and sharing of information between the parties. It is especially critical that any changes in resources, regulations, policies and procedures that affect students served jointly by DOE and DVR/DBVI be immediately communicated and that coordinated efforts are made to mitigate any negative impact that may occur as a result of those changes.

Each party shall assign a person to manage coordination of training, information sharing, and data analysis. For the first year of the Agreement's implementation, DOE and DVR/DBVI will collect and share data on issues impacting successful implementation.

- **Interagency Disputes**

If disagreements arise regarding any aspect of the implementation of this Cooperative Agreement, they should first be attempted to be resolved between the specific parties involved. If this is unsuccessful, the dispute should be taken to the next successive leadership level until resolution is achieved.

9. **AMENDMENTS & TERMINATION**

Changes or addendums to this Agreement shall only be made upon written request from either party – following discussion and written agreement by both parties. The terms of this Agreement shall not be waived, modified, or amended except by mutual written agreement.

This agreement will be reviewed by the parties on an annual basis. The Agreement may be terminated by either party upon thirty (30) days written notice.

10. **WRITTEN NOTICES**

All notices regarding this Agreement shall be sent to the parties at the following addresses:

David Stockford
Special Services

Betsy Hopkins
Division of Vocational Rehabilitation

Wanda Monthey
PK- 20, Adult Education

John McMahon
Division for the Blind and Visually Impaired

Department of Education
23 State House Station
Augusta, ME 04333-0023

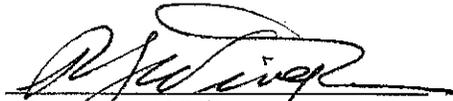
Bureau of Rehabilitation Services
150 State House Station
Augusta, ME 04333-0150

11. SIGNATURES

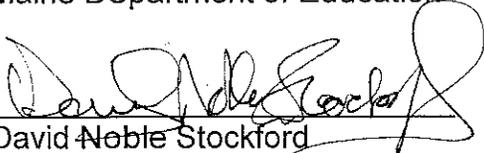
This agreement is executed on behalf of DOE and DVR/DBVI through the undersigned representatives:



Stephen L. Bowen
Commissioner
Maine Department of Education



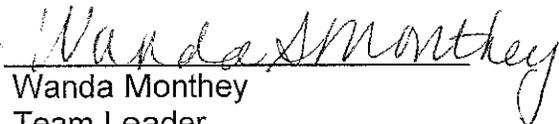
Robert J. Winglass
Commissioner
Maine Department of Labor



David Noble Stockford
Team Leader
Special Services



Betsy Hopkins
Director
Division of Vocational
Rehabilitation



Wanda Monthey
Team Leader
PK- 20 –Adult Education/Federal Programs



John McMahon
Director
Division for the Blind and
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