

IOWA

Department of Education

Ryan M. Wise, Director

Kim Reynolds, Governor
Adam Gregg, Lt. Governor

AGREEMENT between IOWA VOCATIONAL REHABILITATION SERVICES and the IOWA DEPARTMENT OF EDUCATION

I. Purpose

The Department of Education, Iowa Vocational Rehabilitation Services, hereafter known as IVRS, and the Iowa Department of Education, hereafter known as the DE, both share responsibility to prepare students with disabilities for successful community employment. Both agencies are responsible for transition services and the continuous improvement of services provided by each agency, in collaboration with each other will result in improved employment outcomes. The purpose of this agreement is to facilitate the integration and coordination of these transition services from school to post-secondary education and/or employment, for individuals with disabilities who are enrolled in secondary education and are eligible, or potentially eligible, to receive vocational rehabilitation services. Specifically, the intent of this agreement is to:

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

II. Consultation and Technical Assistance

IVRS staff will provide consultation and technical assistance to LEAs, AEs and potentially eligible students with disabilities. These services are intended to benefit students or youth 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 other staff member will work in concert with educational agencies designated by the DE to provide services for individuals who are receiving special education services under an IEP, or services provided according to Section 504 to provide Pre-Employment Transition Services (Pre-ETS) to individuals who are Potentially Eligible (PE) but have not yet applied for services. Services may include, but are not limited to, job exploration counseling, work place readiness training, work-based learning experiences, counseling on opportunities, self-advocacy instruction and other general services applicable to groups of students with disabilities and youth with disabilities. All of the above described services are outlined in a Local School Plan with each LEA annually. The Local School Plan will be individualized to meet the needs of each LEA. LEA staff, IVRS staff and other community partners shall be included in the development of each Local School Plan.

Due to staff capacity issues, these services are generally provided with groups of students and youth who are under an IEP or Section 504, but may be delivered individually. Additionally, alternative means

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for meeting participation (e.g., video conferences and conference calls) may be used for IEP team participation and to assist LEAs in planning for the transition of students with disabilities.

Educators will request consultation and technical assistance services from IVRS when needed to plan for individual transition needs, including development of the individual's course of study. Educators will consult with IVRS regarding the individual's impediments to employment and provide all information available.

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

III. Transition Planning

Transition planning in the state of Iowa must be in place not later than the first IEP to be in effect when the child turns 14, or younger if determined appropriate by the IEP team. Consideration for eligibility for special education services continues through the year that a student turns 21 years of age, or to the maximum age allowed by Iowa Code section 256B.8.

IVRS counselors and educators are both responsible for the development and completion of the employment component of a student's Individual Education Program (IEP) in concert with the student, the parents, and the IEP team. IVRS involvement in the IEP development and completion will be determined by individual student need, not student age or grade. IEP teams and IVRS counselors will consider four factors to determine when employment preparation should start and the intensity of the services that should be provided:

- Student knowledge and skills;
- Student learning characteristics, including student response to ease of accessibility and accommodations;
- Complexity of support needs; and,
- Number of environments impacted.

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, IVRS counselors) should be involved. This involvement may be provided by IVRS without a case record as part of the Pre-Employment Transition 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.

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 IVRS. Intense services may not be provided without the student having been determined eligible and served under an Individual Plan for Employment (IPE).

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

Once an eligibility determination has been made by IVRS, the decision will be shared with the LEA and AEA staff. This information will be considered as part of the student's transition plan within the IEP.

IVRS counselors will develop an IPE for each individual determined to be eligible for IVRS within 90 days of being removed from the IVRS waiting list. The student, parents, educators and IVRS 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:

IVRS	DE
<ul style="list-style-type: none"> • Develop the Local School Plan in collaboration with LEA staff, AEA staff and community partners. • Provide Pre-Employment Transition Services (Pre-ETS) 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. • Obtain PE documentation and a completed Pre-ETS Agreement. • Use assessment information provided by education to determine eligibility and services. Securing additional assessment only when necessary and assuming financial responsibility for the cost of the 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 being removed from waiting list, unless an extension is approved. • Ensure the IPE goals are consistent with IEP employment goals. • Provide or arrange for services required by the IPE goal, including assistive technology devices, when the individual has been determined eligible for IVRS 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 IVRS eligible students who have demonstrated success in a 4+ career and technical program as it relates to the IPE goal. 	<p>Will collaborate with IVRS to provide joint training as needed to ensure AEA and LEAs understand their responsibilities to:</p> <ul style="list-style-type: none"> • Participate in the development of the Local School Plan with IVRS and partners. Participants may include but are not limited to administration, special education teacher(s), school counselor, and/or CTE teachers. • Assist IVRS in obtaining PE documentation and a completed Pre-ETS Agreement. • Assist with identifying and connecting PE students to IVRS for Pre-ETS. • Provide all existing educational assessment and performance information relevant for the determination of IVRS eligibility and services. • Request consultation and technical assistance from IVRS counselors when needed for planning and implementing transition services. • Consult with IVRS 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. • Work with IVRS staff to identify whether IVRS referral is appropriate and the supports needed to complete the application. • Pay for all services listed on the IEP, including assistive technology, unless another agency or entity agrees to provide such services.

<ul style="list-style-type: none"> • Arrange and pay for the development of a supported short-term paid work experience for the most significantly disabled students who require this service. • Arrange and pay for job development and job coaching needed to serve the most significantly disabled students who require supported employment services. If long-term supports are needed after high school, IVRS will assist the LEA in coordinating these services for their final career. 	<ul style="list-style-type: none"> • Provide and/or pay for job coaching, when needed, as part of the instructional component of the IEP. LEA will provide the instructional training when it is for the student to learn job skills, learn about the world of work, and explore occupations to make an informed decision about a future work goal. • Provide and/or pay for extended school year supports, as needed
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V. Outreach and Identification

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

Outreach efforts are identified in the Local School Plan for each LEA. Some of these activities could include but are not limited to attending an IEP meeting, participating in transition fairs or back to school nights, and other transition planning meetings. Additional outreach efforts include meeting and becoming known to LEA staff (teachers, school nurse, school counselor, administration, etc.) so LEA staff can make referrals to IVRS, as appropriate.

For Potentially Eligible (PE) students in need of Pre-ETS, PE documentation and a completed Pre-ETS Agreement is needed for participation in these activities. For students with more intensive needs, who would benefit from individualized VR services, an application for IVRS would be completed to determine eligibility for services.

The determination of eligibility requires that a qualified rehabilitation professional employed by IVRS perform a comprehensive analysis of the disabling conditions, impediments to employment and justification of why the individual requires services from IVRS 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 IVRS 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 IVRS simply providing technical assistance and consultation to existing systems 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 IVRS requirements and then determining the priority of service and service needs involves:

- 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;
- 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 upon employment;
- 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,
- Determine the priority for services by examining the seriousness and evaluating 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.

Services are provided to individuals who have a priority rating consistent with the category (Most Significantly Disabled, Significantly Disabled, Others Eligible) being served. Students on the waiting list may continue to participate in Pre-ETS as long as the student participated in these activities prior to being placed on the waiting list.

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. IVRS may determine that a student is no longer eligible for services and close the case if an error in determination was made.

Note: Parental consent is not needed for the initial meeting between student and IVRS staff or any related initial follow-up meetings. Written and parental consent is needed for completion of the Pre-ETS Agreement and the IVRS application for students under the age of 18 and can be obtained after the initial meeting.

All school personnel, including school nurses, shall share educational information of students with disabilities, including electronic access to IEPs, when appropriate and necessary for IVRS services. This shall include referrals to IVRS. Similarly, the IVRS staff shall 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.

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

VI. Section 511 - Limitations on Use of Subminimum Wage

Documentation requirements under section 511 of the Rehabilitation Act for students with disabilities seeking subminimum wage employment:

Under the section 511 of Rehabilitation Act, 14(c) businesses referred to as "employers" are prohibited from employing any individual with a disability who is 24 years of age or younger at subminimum wage, unless the individual has received documentation from IVRS upon completion of all the following activities:

- i. Pre-ETS or transition services under the Individuals with Disabilities Education Act (IDEA) and
- ii. Apply for vocational rehabilitation services and the individual was determined
 - a. Ineligible for vocational rehabilitation services.
 - b. Eligible for vocational rehabilitation services, had an approved individualized plan for employment, and the individual was unable to achieve an employment outcome in competitive, integrated employment after a reasonable period of time, and his/her case was closed.

- iii. Career counseling and information and referral services to federal and state programs to help the individual discover, experience and attain competitive integrated employment and the counseling and information was not for employment at sub-minimum wage.

The IDOE will encourage each LEA to provide IVRS documentation that the student has completed transition services or received Pre-ETS when seeking subminimum wage employment. Documentation can include the student's IEP, transition assessment results, work based learning data, summary of performance and any other specific data/documentation around transition experiences, assessment and instruction. Documentation should be provided by the LEA to the IVRS staff assigned to the LEA no later than 30 calendar days after the determination of sub minimum wage has been made.

These sub-minimum wage requirements and documentation requirements should be shared by IVRS and IDOE with LEA, AEA, parents/guardians and students. IVRS will maintain the documentation and provide a copy to the student within 45 days after the completion of services. Any of the services identified above that the LEA provided must be documented by the LEA and provided to IVRS and the student.

The IDOE and LEAs will not enter into a contract or other arrangement with an entity for the purpose of operating a program under which a youth with a disability is engaged in work compensated at a subminimum wage.

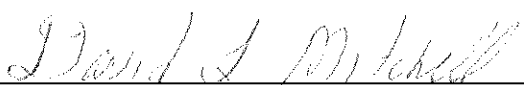
IV. Amendments

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.

V. Term

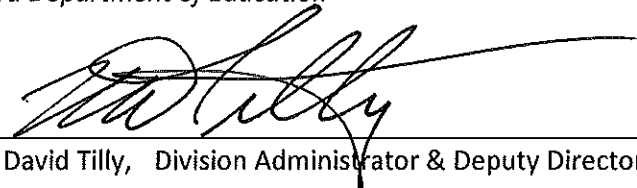
This agreement shall be effective from October 1, 2019, through September 30, 2021. The parties, upon mutual consent and in writing, may renew this agreement for any number of two-year extensions.

Iowa Vocational Rehabilitation Services



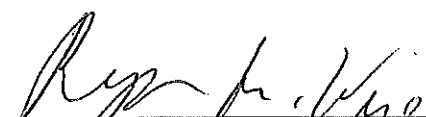
David L. Mitchell, Administrator Date 9/25/19

Iowa Department of Education



W. David Tilly, Division Administrator & Deputy Director Date

Iowa Department of Education



Ryan M. Wise, Director Date 10-15-19