AMENDMENT #3

TO

COOPERATIVE AGREEMENT NO. 11/15-01

BETWEEN
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
DEPARTMENT OF HUMAN SERVICES

AND
THE RHODE ISLAND DEPARTMENT OF EDUCATION

THIS AGREEMENT ORIGINALLY ENTERED INTO ON THE FIRST DAY OF July 2010 , IS HEREBY REVISED AS FOLLOWS:

1. Addendum #1 is eliminated and replaced with a new revised scope of work dated 10/1/13.

IN WITNESS WHEREOF, THE PARTIES HERETO HAVE SET THEIR HANDS AND THIS AGREEMENT MADE LEGALLY BINDING AS FOLLOWS:

AUTHORIZED AGENT DATE

AUTHORIZED AGENT DATE

10/1/13

ADDENDUM I. – SCOPE OF WORK
The Rhode Island Department of Education and
Department of Human Services/Office of Rehabilitation Services

I: PURPOSE

This Cooperative Agreement (CA) represents a vision of collaboration between The Rhode Island Department of Education (RIDE) and the Department of Human Services/Office of Rehabilitation Services (DHS/ORS) that will affect the successful transition of students with disabilities from school into Vocational Rehabilitation Services for the purpose of achieving a successful employment outcome. The CA will be coordinated with other cooperative agreements between RIDE and DHS/ORS as well as according to the policies and procedures of each entity. The CA is not a financial agreement. No payment will be made to either party by the other party as a result of this CA. Each party/agency will provide services according to their respective regulatory requirements governed by the Individuals with Disabilities Education Act and the Rehabilitation Act of 1973. The roles and responsibilities, including financial responsibilities, of RIDE and DHS/ORS are identified in the document.

Title IV of the Workforce Investment Act of 1998, the Rehabilitation Act, describes the minimum requirements for an agreement in support of Transition activities as the following:

Consultation and technical assistance to assist educational agencies in planning for the transition of students with disabilities from school to post-school activities, including vocational rehabilitation services;

Transition planning by personnel of the designated State agency and educational agency personnel for students with disabilities that facilitates the development and completion of their individualized education programs under section 614 (d) of the Individuals with Disabilities Education Act (as added by section 101 of Public Law 105-17);

The roles and responsibilities, including financial responsibilities, of each agency, including provisions for determining State lead agencies and qualified personnel responsible for transition services;

Procedures for outreach to and identification of students with disabilities, students with an IEP or 504 plan, who need transition services.

II: TIME OF PERFORMANCE/ DURATION

The duration of the Rhode Island Department of Education (RIDE) and Department of Human Services/Office of Rehabilitation Services (DHS/ORS) Cooperative Agreement (CA) Amendment #3 is from October 1, 2013 to June 30, 2015.

The CA will be reviewed on an annual basis including a review by the State Rehabilitation Council and State Special Education Advisory Committee.

The CA can be amended and/or extended in writing with the agreement of both parties.

The CA may be terminated according to standards described in the Administrative Procedures Act.

III. GUIDING PRINCIPLES OF THE COOPERATIVE AGREEMENT (CA)

RIDE and DHS/ORS have established a common set of principals to guide the implementation of the CA. These are presented as a set of common expectations for the execution of the agreement.

Common Expectations:

- Students will be provided support in mastering the self determination and self advocacy skills necessary to direct their own future.
- Planning for both education and vocational rehabilitation services will be guided by students.
- Students will be provided opportunities to develop skills necessary to exercise informed choice.
- Education and vocational rehabilitation services will be provided to students in the most natural setting for the skills being developed.
- Students will become increasingly self-directed as part of the transition from school to adult life.
- Students will be knowledgeable about supports and services available and how to access them.
- Students will become gainfully employed in occupations with career options.

It is the intention of RIDE and DHS/ORS to develop effective transition practices in partnership with all public agencies and local education agencies (LEA) engaged in the transition process to achieve these common expectations.

IV. FINANCIAL RESPONSIBILITIY

RIDE and LEAs will be responsible for transition services mandated by federal and state laws and regulations. DHS/ORS will be responsible for vocational rehabilitation services that are included in the development and implementation of the ORS eligible student's DHS/ORS Individualized Plan for Employment. (IPE) including but not limited to such services as vocational evaluation, situational assessments and summer work experiences.

V. INTERAGENCY COLLABORATION AND COORDINATION

The DHS/ORS Administrator and the RIDE Director of Student, Community and Academic Supports will each assign a representative to the RI Transition Council, a committee represented by education officials and other state community youth and adult providers concerned with transition, commit available resources to support technical assistance and consultation activities.

RIDE and DHS/ORS will utilize needs assessment information generated by the RI Transition Council, DHS/ORS State Rehabilitation Council, the DHS/ORS Comprehensive Needs assessment and from other partner agencies to establish training priorities.

RIDE and DHS/ORS will provide an annual schedule of professional development activities conducted by each agency and will notify RI Transition Council partner agencies of new programs that are developed.

RIDE and DHS/ORS program evaluations will be shared with the RI Transition Council and the State Rehabilitation Council for recommendations of training needs. RIDE and DHS/ORS materials, brochures, guides, etc. will be provided to the RI Transition Council and the State Rehabilitation Council for comment.

VI. DHS/ORS RESPONSIBILITIES:

- The ORS Regional Supervisor will assign a Rehabilitation Counselor to each comprehensive high school in the region.
- ORS administrative support will maintain and update a list of assigned counselors that is included in RIDE and DHS/ORS promotional materials.
- Rehabilitation Counselors will maintain a schedule of availability in the assigned schools, convey this schedule to appropriate local education agency personnel and attend IEP meetings scheduled during those times.
- Rehabilitation Counselors will strive to attend IEP meetings for DHS/ORS eligible students expecting to graduate within the next two years.
- Provide information about services, training options, information about work, assessment opportunities as well as any results from ORS funded evaluations or work experiences that were completed prior to the IEP meeting.
- Suggest interventions and/or approaches that the school can then consider for inclusion in the transition aspect of the IEP.
- Participate in any training that RIDE provides to LEAs about inclusion of transition goals into IEP process.
- Assigned Rehabilitation Counselors will also make efforts to attend meetings and events at assigned schools to share information about Vocational Rehabilitation with students, parents and school personnel.
- Develop an Individualized Plan for Employment (IPE) for students found eligible for Vocational Rehabilitation, including students with a 504 plan, at risk of dropping out or who have an IEP, within 60 days of eligibility and no later than the senior (or graduating) year.
- Consult with high school personnel about specific students, provide technical assistance about disabilities, employment, resources available to students with disabilities, information about specific disabilities, assistive technology, accommodations, general disability awareness, career considerations, as well as strategies for engaging reluctant youth families to accept a referral to ORS.
- Provide information to educators about the other adult service providers who may be a resource to include in transition planning.

VII. RIDE AND LOCAL EDUCATION AGENCY RESPONSIBILITIES:

- High school department chair or designee, will strive to schedule Individual Education Program (IEP) meetings during scheduled hours of the Rehabilitation Counselor no less than one month prior to the IEP meeting. If the assigned counselor is unable to attend the meeting, the school personnel, student and parent will have materials about Vocational Rehabilitation Services for the IEP.
- The development, scheduling and coordination of the IEP meetings .
- Mechanisms to monitor the implementation of this section of the CA will be included in the RIDE School Support Monitoring process.

VIII. INTERAGENCY ROLES AND RESPONSIBILITIES

- Lead agencies in executing this CA are as follows:

a. RIDE is responsible for the implementation and compliance of Local Education Agencies with the Individuals with Disabilities Education Act (IDEA) and all Rhode Island education laws and regulations.
b. DHS/ORS is responsible for the implementation and compliance of Title IV of the Workforce Investment Act and all related Rhode Island laws and regulations.

- Qualified Personnel
  a. All personnel assigned to responsibilities described in this agreement will comply with the certification requirements of the respective lead agencies.
- Agency Responsibilities
  a. Appendix I includes a matrix of the primary, shared and minimal responsibilities of the RIDE and DHS/ORS for the delivery of transition-related services for DHS/ORS eligible students in transition.
- Policy Development
  a. RIDE and DHS/ORS will utilize the RI Transition Council and the State Rehabilitation Counsel as a venue for developing transition-related policies in their respective agencies.
  b. RIDE and DHS/ORS will follow their own agency's policies for the review and development of policies.
  c. RIDE and DHS/ORS will notify each other when new policies are in development or of policies that are being revised, to encourage collaboration in policy development related to transition.
- Program Evaluation
  a. RIDE and DHS/ORS will share the definition of each agency's data collection system and seek opportunities to crosswalk data.
  b. RIDE and DHS/ORS will jointly participate in third party monitoring activities of the respective agencies programs.
  c. Results from RIDE and DHS/ORS program evaluations will be shared with the RI Transition Council and the State Rehabilitation Council.

IX. OUTREACH

- RIDE and DHS/ORS will coordinate outreach activities to ensure that eligible students with disabilities, 504 plans and IEPs, are identified before graduation from high school. RIDE and DHS/ORS.
- Utilize existing RIDE census data to aid in the identification of possible eligible students.
- Develop service delivery mechanisms to improve the positioning of Vocational Rehabilitation Services in school counseling (career guidance), school to career activities, career and technical education and other career development initiatives in Rhode Island high schools.
- Ensure DHS/ORS collateral materials are available in all schools.
- Engage 504 Coordinators with each LEA to provide ORS information and meet with potential referrals.
- Ensure DHS/ORS Rehabilitation Counselors are informed of outreach opportunities in high schools to connect with eligible students and parents.
- ORS and RIDE will identify 504 coordinators for each high school and the ORS Rehabilitation Counselor will meet with 504 coordinator of each school to develop a referral process and to provide information about VR services
- ORS Rehabilitation Counselor will attend an orientation with school personnel at the beginning of each school year to explain services, the referral process and program objectives.

- ORS staff will attend regional meetings of school personnel and other adult service providers, called Transition Advisory Councils (TACs), to reinforce networking opportunities, knowledge about ORS and relationship building.
- Periodic Transition nights for families and youth are organized by the LEAs and ORS presence is always a component of these events.

X. CONFIDENTIALITY

Personal information about any individual student or family will not be shared between RIDE and DHS/ORS without a release signed by the student (if 18 or over) or the parent or guardian when appropriate. Program evaluation reports and other data reports will include aggregate data rather than information about specific individuals. Specific information will not be included in public reports unless there is a specific signed release.

XI. PROCESS FOR RESOLVING DISAGREEMENTS

- Administrative Consultation
  a. When RIDE and DHS/ORS cannot resolve disputes related to the implementation of the MOU or the delivery of services, the Administrator of DHS/ORS/VR and the RIDE Director of Student, Community and Academic Supports will review the dispute and determine together if resolution can be accomplished.
  b. The Administrator of DHS/ORS and the RIDE Director of Student, Community and Academic Supports will review the dispute related to the statutory obligations of each agency.
  c. The Administrator of DHS/ORS and the RIDE Director of Student, Community and Academic Supports will render a decision and inform all parties of the result and, if necessary, amend the CA or other agreements or policies.
  d. If the dispute is not resolved by the Administrator of DHS/ORS and the RIDE Director of Student, Community and Academic Supports, the dispute will be reviewed with the Director of the Department of Human Services and the Commissioner of Elementary and Secondary Education.

- Mediation
  a. In the event of an unresolved dispute, the matter may be referred for mediation if both parties agree to mediation.
  b. A mediator acceptable to all parties will be designated and mediation initiated.
  c. RIDE and DHS/ORS will equally share the costs of the mediation.

- Arbitration
  a. Should mediation be unsuccessful in resolving the dispute, the parties may proceed to arbitration. If a matter, which has been mediated, proceeds to arbitration, all communications and deliberations related to the attempted mediation shall not be admissible in the arbitration.
  b. Arbitration through the American Arbitration Association is binding.
  c. The rules and regulations of the American Arbitration Association that are in effect shall apply.
  d. RIDE and DHS/ORS will share the cost of arbitration equally.

XII: Collaborative Services Chart

The Collaborative Services Chart is intended to assist students, parents, school personnel and public and private adult service agency personnel in identifying responsibilities for the effective coordination and delivery of transition services for students. The Rhode Island Department of Education (RIDE) and the Department of Human Services/Office of Rehabilitation Services (DHS/ORS) have identified services on the chart that would fall under the responsibility of DHS/ORS and Local Education Agencies. The third column referencing other adult service agencies is based on the regulatory requirements of those agencies. All of the obligations identified on the chart are in accordance with state and federal laws and regulations.

The Collaborative Services Chart is intended to enhance the transition planning process and by no means replaces effective transition planning practice.

The Collaborative Services Chart is divided into 5 categories:
Assessment Activities
Career Development Services
Community Living Services
Related Services
Auxiliary Aides.

Each table identifies the services as defined in RIDE and DHS/ORS and notes which agency would be primarily responsible. Primary responsibility for each service is based upon the mission and regulatory responsibilities of each agency. A student's status as in-school results in RIDE being responsible for most of the educational, medical and support services.

DHS/ORS is responsible for vocational rehabilitation services that are included in the development and implementation of the ORS eligible student's DHS/ORS Individualized Plan for Employment (IPE) including but not limited to such services as vocational evaluation, situational assessments and summer work experiences.

APPENDIX I

Assessment Services

ASSESSMENTS	LOCAL EDUCATION AGENCY	OFFICE OF REHABILITATION SERVICES	OTHER COMMUNITY/ADULT SERVICE AGENCIES
Functional Math/Reading/Written Expression	Primary	Minimum	Minimum
Adaptive Behavior	Primary	Minimum	Minimum
Sensory (Hearing & Vision)	Primary	Minimum	Minimum
Speech & Language	Primary	Minimum	Minimum
Community Living Skills	Primary	Minimum	Shared with Behavioral Health Developmentl Disabilities and Hospitals (BHDDH)
Personal Care Attendant	Minimal	Primary	Shared with BHDDH
Functional Vocational Evaluation	Shared	Shared	Shared
SSI/SSDI Eligibility	Minimal	Minimal	Primary (i.e. DHS/DDS, SSA, etc.)
Social History	Primary	Minimal	Minimal
Specialty Medical Evaluation Prior to Graduation) (i.e. orthopedic, emotional, opthamological, etc.)	Primary	Minimal	Shared (i.e. Medical provider)

ASSESSMENT ACTIVITIES	**LOCAL EDUCATION AGENCY**	**OFFICE OF REHABILITATION SERVICES**	**OTHER COMMUNITY/ADULT SERVICE AGENCIES**
Special Medical Services (Post Graduation)	Minimal	Primary	Shared (medical provider)
Occupational Therapy/Physical Therapy (Prior to Graduation)	Primary	Minimal	Minimal
Occupational Therapy/Physical Therapy (Post Graduation)	Minimal	Primary	Shared (i.e. BHDDH.)
Drivers Education	Primary	Minimal	Minimal
Adaptive Driving Evaluation	Minimal	Primary	Minimal
Educational Evaluation	Primary	Minimal	

Career Development Services

CAREER DEVELOPMENT SERVICES	LOCAL EDUCATION AGENCY	OFFICE OF REHABILITATION SERVICES	OTHER COMMUNITY/ADULT SERVICE AGENCIES
Career Exploration - Career Counseling - Guest Speakers - Tours of Businesses - Job Shadowing - School Based Enterprises - Service Learning - Job Fairs - Career Clubs/Organizations (i.e. FFA, DECA, etc.)	Primary	Minimal	Shared (i.e. employers, Chamber of Commerce, etc.)
Career Development - Internship/Apprenticeship - Work-Based Learning Experience - Specific Occupational Skills Training	Primary	Shared	Shared
Work-Based Situational Assessment	Shared	Shared	Shared
Job Seeking Skills Training (Prior to Graduation)	Primary	Minimal	Minimal
Job Seeking Skills Training (Post Graduation)	Minimal	Primary	Shared
Job Placement Services	Minimal	Primary	Shared (i.e. BHDDH Network RI, DLT, etc.)

CAREER DEVELOPMENT SERVICES	LOCAL EDUCATION AGENCY	OFFICE OF REHABILITATION SERVICES	OTHER COMMUNITY/ADULT SERVICE AGENCIES
Supported Employment Initial Placement & Training	Minimal	Primary	Shared
Supported Employment On-going Support	Minimal	Shared	Primary (i.e. BHDDH.)
Post-Employment Services	Minimal	Shared	Shared
Job Coaching – Time Limited	Minimal	Primary	Shared
Job Coaching – Outgoing	Minimal	Shared	Primary
Post-Secondary Education & Training Preparation	Primary	Minimal	Minimal
Post-Secondary Education & Training	Shared	Shared	Shared (i.e. RI Office of Higher Education, etc.
Post-Secondary Education & Training Financial Aid Information	Shared	Shared	Shared (i.e. RI Higher Education Assistance Authority, etc.)

Community Living Services

COMMUNITY LIVING SERVICES	LOCAL EDUCATION AGENCY	OFFICE OF REHABILITATION SERVICES	OTHER COMMUNITY/ADULT SERVICE AGENCIES
Daily Living Skills Training (prior to Graduation)	Primary	Minimal	Minimal
Daily Living Skills Training (Post-Graduation)	Minimal	Minimal	Primary
Residential Services (Post-Graduation) - Respite Services - Community-Supported Living Arrangement - Semi-Independent - Fully Supervised	Minimal	Minimal	Primary
Personal Support for Community Living (e.g. Personal Care Attendant) (Post-Graduation)	Minimal	Minimal	Primary
Disability/Symptom Management	Minimal	Minimal	Primary
Health Care Management	Minimal	Minimal	Primary

Related Services

RELATED SERVICES	LOCAL EDUCATION AGENCY	OFFICE OF REHABILITATION SERVICES	OTHER COMMUNITY/ADULT SERVICE AGENCIES
Occupational Therapy, Physical Therapy, Psychological Services and Communication/ Speech & Language Services (Post-Graduation)	Minimal	Shared	Shared
Mental Health Services - Individual Counseling - Family Counseling - Care Management	Minimal	Minimal	Primary (i.e. BHDDH, etc.)
Public Transportation Skill Training (Pre-Graduation)	Shared	Shared	Shared
Public Transportation Skill Training (Post Graduation Training)	Minimal	Shared	Shared
Service Coordination	Shared	Shared	Shared

Assistive Technology (AT) Services

ASSISTIVE TECHNOLOGY	LOCAL EDUCATION AGENCY	OFFICE OF REHABILITATION SERVICES	OTHER COMMUNITY/ADULT SERVICE AGENCIES
Assessment for Instruction	Primary	Minimal	Minimal
Assessment for Employment	Minimal	Primary	Minimal
Provision of AT in Education	Primary	Minimal	Minimal
Provision of AT in Employment	Minimal	Primary	Primary (i.e. Employer)
Provision of AT in Post-Secondary Education/Training	Minimal	Shared	Shared (i.e. Post-Secondary Education)

Auxiliary Aid Services

AUXILIARY AIDS (e.g. reader, interpreter, note taker, etc.)	LOCAL EDUCATION AGENCY	OFFICE OF REHABILITATION SERVICES	OTHER COMMUNITY/ADULT SERVICE AGENCIES
In Public Education	Primary	Minimal	Minimal
For Job Training	Shared	Shared	Shared
For Post-Secondary Education	Minimal	Shared	Shared (i.e. Higher Education)
For Ongoing Employment	Minimal	Shared (time limited)	Shared (i.e. Employer, etc.)

Miscellaneous Services

MISCELLANEOUS	LOCAL EDUCATION AGENCY	OFFICE OF REHABILITATION SERVICES	OTHER COMMUNITY/ADULT SERVICE AGENCIES
Tools, Uniforms, Licenses	Minimal	Shared	Shared (i.e. Employer)
Accessibility Modifications	Minimal	Shared	Shared (i.e. Employer)
Parent Information	Shared	Shared	Shared