

CDE/DVR
Cooperative Services Agreement

Colorado Department of Education
Special Education Services Unit

&

Department of Human Services
Division of Vocational Rehabilitation

December 2002

INTRODUCTION

The Rehabilitation Act Amendments of 1998, which are contained in Title IV of the Workforce Investment Act of 1998 (WIA), mandate that the State vocational rehabilitation (VR) agency enter into a formal interagency agreement with the State education agency {Section 101(a) (11) (D).} This agreement must contain certain provisions:

- State VR consultation and technical assistance to assist educational agencies in planning for the transition of students from school to post-school activities, including VR services.
- Collaborative planning by VR/education staff that serves to facilitate development and completion of the Individualized Education Plan.
- Roles and responsibilities, including financial responsibilities, of each agency, to include provisions for determining state lead agencies and qualified personnel responsible for transition services.
- Procedures for outreach to and identification of students with disabilities who need transition services. State VR agencies are expected to assist schools in transition planning in addition to determining student's eligibility for VR services or developing Individualized Plans for Employment.
- Procedures for coordination of services to promote timely delivery of transition services to youth and ensure a seamless process of transition from school to adult services.
- Procedures for resolving interagency disputes.
- Information specifying the conditions, terms and procedures of reimbursement.

This Cooperative Agreement has been developed with multiple purposes in mind. First, it meets a requirement that is contained in federal legislation. Beyond that, the information contained in this agreement serves to provide guidance to field staff in both the education and vocational rehabilitation systems regarding roles and responsibilities of both entities around issues related to transition. The agreement also provides a framework for cooperation with regard to activities associated with the transition from school to adult life and the provision of services to these youth, for which, overlap may exist. This agreement is a revision to the original Cooperative Agreement developed in January 1995. Since that time new legislation has been enacted which contains changes to previous legislation. This agreement documents those changes and additions. Finally, the information contained in this agreement serves as a practical guide for formalizing working relationships between local school agencies and local vocational rehabilitation offices. As such, this agreement should be attached to any local agreement between education and vocational rehabilitation.

COOPERATIVE AGREEMENT

Between

Colorado Department of Human Services, Division of Vocational Rehabilitation

~and~

Colorado Department of Education, Special Education Services Unit

Section 1 Goal and Purpose

The goal of this Cooperative Agreement is to provide all eligible youth with disabilities appropriate personal, social, academic and vocational skills, which lead to a successful transition from school to employment and adult life.

WHEREAS,

The foundation for developing a Colorado transition service delivery system is set forth in this interagency agreement, which is based upon a mutual commitment to placement of persons with disabilities in the least restrictive environment, the provision of coordinated transition services and the ultimate goal of gainful employment.

THEREFORE,

It is hereby agreed that the Colorado Department of Human Services, Division of Vocational Rehabilitation, hereafter referred to as the Division of Vocational Rehabilitation, and the Colorado Department of Education will continue to cooperate in the development of programs designed to provide an array of transition services for youth with disabilities. The purpose of entering into this cooperative agreement is to:

- define the responsibilities of the parties hereto;
- provide for efficient and effective utilization of agencies' resources and minimize duplication;
- ensure access to benefits and services to individuals with physical or mental impairments; and
- delineate a basis for continuous, effective working relationships between the two agencies.

Section 2 Effective Date

This cooperative agreement is made on December 1, 2002 and becomes effective upon signature by both parties. This cooperative agreement shall remain in effect for an ongoing period, subject to legislative or other changes requiring amendment, revision or termination. Actions shall be initiated in writing by the requesting party.

Section 3 Legislative Intent

National public policy for individuals with disabilities embodies values and establishes philosophical foundations set by the core belief that disability is a natural part of the human experience. These values and foundations have been recognized in the promulgation of the following federal laws: the Americans with Disabilities Act (ADA), the Individuals with Disabilities Education Act (IDEA) as amended in 1997, and the Rehabilitation Act of 1973, as amended in 1998 and contained in Title IV of the Workforce Investment Act of 1998 (WIA). These philosophical underpinnings together with federal and state statutes direct the need for interagency collaboration and shared responsibilities to increase opportunities for successful transition to employment and adult life for all youths/consumers with disabilities.

Specifically, this interagency cooperative agreement, consistent with public policy, shall promote and enhance the following principles to best meet the full spirit and intent of federal and state statutes:

- That a disability in no way diminishes the right of individuals to live independently; enjoy self-determination; make choices; contribute to society; pursue meaningful careers; and enjoy full inclusion and integration in the economic, political, social, cultural, and educational mainstream of American society;
- That increased employment of individuals with disabilities can be achieved through the provision of individualized training, independent living services, educational and support services, and meaningful opportunities for employment in integrated work settings through the provision of reasonable accommodations;
- That since no one agency has the resources or singular responsibility for the vocational preparation of youths with disabilities, collaboration is essential between agencies to assure that individuals with disabilities obtain employment, economic self-sufficiency, independence, and inclusion and integration into society;
- That there is the intent of each agency to promote the provision of needed transition services and supports in timely, effective and appropriate ways avoiding a break in service through teamwork, coordinated planning, and shared responsibility.

The following legislation and regulations shall guide the policy:

A. Colorado Division of Vocational Rehabilitation

1. The Rehabilitation Act of 1973, as amended in 1998 and as contained within Title IV of the Workforce Investment Act of 1998 (WIA)
2. Rehabilitation Act Amendments of 1998, Final Regulations (34 CFR 361)

B. Colorado Department of Education

1. The Individuals with Disabilities Education Act (20 U.S.C 1201 et. seq.)
2. IDEA Regulations (34 CFR 300 et.seq.)
3. Exceptional Children's Educational Act (ECEA 22.20.101 et seq., C.R.S.)
4. Rules for the Administration of the Exceptional Children's Educational Act (1 CCR 301-8)

Section 4 Roles and Responsibilities of Each Party

A. Division of Vocational Rehabilitation

The mission of the Colorado Department of Human Services is to design and deliver quality human services that improve the safety and independence of the people of Colorado. The Division of Vocational Rehabilitation (DVR) assists individuals whose disabilities result in barriers to employment to succeed at work and live independently. Transition responsibilities were included in the Rehabilitation Act in order to assure that there are no gaps in services received by students with disabilities as they leave the school setting and/or are ready to begin vocational activities when an employment outcome is the primary focus.

B. Colorado Department of Education

The Colorado Department of Education (CDE) provides leadership and service to Colorado's education community to increase achievement for all students through comprehensive programs of education reform. The Special Education Services Unit of the CDE supports the Department's mission as it advocates for, implements and monitors the services required for all individuals with disabilities as well as providing supports for these individuals reaching high academic standards and achieving maximum independence upon exiting from the Colorado school system. Furthermore, the special education staff promotes partnerships that facilitate opportunities for students to succeed in schools, communities and ultimately as independent adults.

It is the school's responsibility to plan and provide those services that will prepare the student to move successfully from school to the appropriate post-school environment and to assist the student to connect with the necessary community agencies that will provide support services, including vocational rehabilitation.

Section 5 Definitions

A. Vocational Rehabilitation

1. Eligibility: The vocational rehabilitation counselor must document and validate the following for each individual determined eligible for rehabilitation services:
 - a) The presence of a physical or mental impairment(s); and
 - b) That the impairment(s) constitutes or results in at least one substantial impediment to employment which is consistent with the individual's abilities and capabilities; and
 - c) That the individual needs rehabilitation services to prepare for, enter, engage in or retain gainful employment that is consistent with his/her strengths, resources, priorities, concerns, abilities, capabilities and interests; and
 - d) That the individual can benefit from the provision of vocational rehabilitation services, in terms of an employment outcome.

2. Service: A type of vocational rehabilitation service which consists of the furnishing of labor, time, or effort on behalf of an applicant or eligible individual to assess eligibility and vocational rehabilitation needs, to accommodate barriers to employment, and to enable the individual to achieve his or her planned employment outcome.
 - a) Once the Individualized Plan for Employment (IPE) has been developed, agreed to and signed by the youth or his/her representative and the State VR counselor, services shall be provided as outlined on the IPE.
 - b) Services necessary to achieve a supported employment outcome are limited to eighteen (18) months unless under special circumstances the eligible individual and the rehabilitation counselor jointly agree to extend the time needed to achieve the employment outcome identified in the IPE.
 - c) Services shall be provided in the most integrated settings.
 - e) When services are being provided to an individual who is also receiving services under individualized plans established by other federal or state programs, services under the IPE will be provided in coordination with such programs.

- f) When a decision is made that a requested service is neither necessary nor appropriate, the individual shall be provided written notification of the basis for this determination and the specific means for appealing the decision.
3. IPE - Individualized Plan for Employment: An individual planning document which outlines the youth's vocational goal, intermediate objectives, responsibilities and specific services to be provided, including the anticipated beginning date and duration of services.
4. Order of Selection: In situations when vocational rehabilitation services cannot be provided to all eligible individuals with disabilities who apply for such services, the state Division of Vocational Rehabilitation is required to establish and implement an order of selection policy. An order of selection policy shall be designed to assure that, when fiscal circumstances necessitate it, individuals with the most significant disabilities are given the highest priority for receiving services.
5. Section 504: Section 504 of the Rehabilitation Act of 1973 prohibits discrimination against persons with disabilities by school districts receiving federal financial assistance. Section 504 applies to all youths who have any physical or mental impairment that substantially limits one or more major life activities, have a record of such an impairment, or are regarded as having such an impairment (34 CFR 104.34(j)). Major life activities include walking, seeing, hearing, speaking, breathing, learning, working, caring for oneself and performing manual tasks. All youths who meet this definition are protected under Section 504 regardless of their eligibility for special education under IDEA. For every youth determined to have a disability under Section 504 and who does not meet the eligibility requirements for special education under IDEA, the district must develop and implement a plan for the delivery of needed services required by Section 504 (34 CFR 104.35).
6. Comparable Services and Benefits: Services and benefits that are: provided or paid for, in whole or in part, by other federal, state, or local agencies, by health insurance, or by employee benefits; and available to the individual at the time needed to ensure the progress of the individual toward achieving their employment outcome; and commensurate to the services the individual would otherwise receive from DVR.
7. Informed Choice: Incorporating informed choice in the development of the Individualized Plan for Employment should be viewed as a process whereby individuals with disabilities are provided the opportunity to develop and express preferences and to make informed choices based on those preferences rather than having to select from a limited set of options for goals and services.

B. Colorado Department of Education

1. Eligible Youth: An individual with a disability who is eligible to receive services from the educational system through general education (Section 504) or special education (IDEA and ECEA).
2. Special Education: Specially designed instruction and related services, to meet the unique needs of a child with a disability to access and progress in the general curriculum, provided at no cost to the parents.
3. IEP: Individualized Education Program under IDEA. IEPs are written documents that outline specific educational plans for each student with a disability including goals,

intermediate objectives, responsibilities and specific services to be provided, the anticipated beginning date and duration of services. When special education services are being provided to a student who is also receiving services under an individual plan established by other federal or state programs, efforts will be made to coordinate the IEP with other services plans.

4. Related Services: Services that a student may need to benefit from their special education including, but not limited to, transportation, speech-language therapy, psychological and social work services, physical and occupational therapy, and counseling services including rehabilitation counseling.
5. Rehabilitation Counseling: services provided by qualified personnel in individual or group sessions that focus specifically on career development, employment preparation, achieving independence, and integration in the workplace and community.
6. Local Education Agency, LEA: a public board of education or other public authority legally constituted within Colorado for either administrative control or direction, or to perform a service function for public elementary or secondary schools or for a combination of school districts.

C. Shared Definitions

1. Transition

“Transition services” means a coordinated set of activities for a student, designed within an outcome oriented process, which promotes movement from school to post-school activities, including post-secondary education, vocational training, integrated employment (including supported employment), continuing and adult education, adult services, independent living or community participation. (34 CFR 300.29)

The coordinated set of activities must:

- (a) Be based on the individual student’s needs, taking into account the student’s preferences and interests; and
- (b) Include needed activities in the areas of:
 - (i) Instruction;
 - (ii) Community experiences;
 - (iii) The development of employment and other post-school adult living objectives; and
 - (iv) If appropriate, acquisition of daily living skills and functional vocational evaluation.

For DVR purposes transition services must promote or facilitate the achievement of the employment outcome identified in the youths’ IPE

2. Assistive Technology

- a) Assistive Technology Device: Any item, piece of equipment, or product system, whether acquired commercially off the shelf, modified, or customized, that is used to increase, maintain, or improve the functional capabilities of an individual with a disability.
- b) Assistive Technology Service: Any service that directly assists individuals with a disability in the selection, acquisition, or use of assistive technology devices, including assistive technology evaluations; designing, fitting, customizing, adapting, maintaining, or repairing, assistive technology devices; training or technical assistance to the

individual, in the use of the device; and training, or technical assistance for professionals when necessary to the achievement of an employment outcome by an individual with a disability.

Section 6 Policies, Procedures and Practices that Can Be Coordinated

A. Outreach and Technical Assistance

1. The vocational rehabilitation agency is mandated to initiate outreach to and identification of students with disabilities who need transition services. This involves informing the student (or, when appropriate, their representative) as early as possible about the VR program, its purpose, eligibility criteria, application procedures and scope of available services. {Section 101(a)(11)(D)(iv); 34 CFR 361.22 (b)(4)}
2. The vocational rehabilitation agency must provide consultative and technical assistance services to assist educational agencies in planning for the transition of students with disabilities from school to post-school activities, including employment. {34 CFR 361.49 (a)(7)}

B. Referral Process

1. Referrals to the Division of Vocational Rehabilitation can be made by youths, parents, educators, or other service providers.. A referral to the Division of Vocational Rehabilitation will include the youth's name, address, Social Security number, birth date, home telephone number and reported disabling condition(s).
2. The Division of Vocational Rehabilitation will accept youth referrals and determine rehabilitation program eligibility. Eligibility is based upon pertinent medical and/or psychological documentation, education information and related factors that bear on the individual's impediment to employment and his/her rehabilitation service needs. Such information will be obtained, with proper written consent, from the school and other appropriate entities.
3. If a youth has withdrawn from school, DVR staff will encourage the individual to return to the school setting in an attempt to have structured within the district an educational/vocational education program that will lead to completion of an appropriate course of study. If it becomes apparent that it is not feasible for the youth to return to school, and he/she is eligible for vocational rehabilitation, necessary services will be provided in an attempt to enable the youth to achieve stable employment.
4. In the event the Division of Vocational Rehabilitation cannot provide services to all eligible individuals, youths will be served on the basis of an Order of Selection. Although some youths may need to wait for services, all potentially eligible youths should be referred. In this way, when services are available, the eligibility process will have been completed.

C. Data Release and Data Sharing

1. This cooperative agreement shall help both parties protect confidentiality and minimize duplication of effort and unnecessary expenditures of funds. To this end, with the signed Release of Information provided by the youth and, when necessary and appropriate,

parent/guardian, all pertinent medical, psychological, vocational, educational, recreational and other information relating to the individual and his or her impediment(s) to employment and rehabilitation needs, in the possession of one agency will be provided to the other agency upon request and at no cost to either agency.

2. Both agencies understand that all youth information is to be treated as confidential and all State and Federal regulations surrounding youth confidentiality are mutually binding.
3. Youth information secured in accordance with the paragraph above shall be used only for the purposes of determining eligibility or providing transition/vocational rehabilitation services to eligible youths by either agency.
4. The Division of Vocational Rehabilitation will obtain and use existing assessment or evaluative information whenever possible. When provided with an appropriate release of information, schools agree to provide adequate and sufficient data in a timely manner to the Division of Vocational Rehabilitation. Both agencies will use the *Cooperative Assessment Guidelines* when developing and exchanging assessment information.

D. Planning

1. Beginning no later than age 16 (or younger if appropriate), the Individualized Education Program (IEP), for each youth must include a statement of the needed transition services, including, if appropriate, a statement of each public education agency's and each participating agency's responsibilities and/or linkages. To this end, the public education agency shall invite a representative of any agency that is likely to be responsible for providing or paying for transition services and, use a variety of strategies to ensure that appropriate linkages are made before the student leaves school. For eligible students, the IEP will be developed to coordinate with plans developed through other agencies.
2. In conjunction with the IEP which addresses transition, an Individualized Plan for Employment (IPE) will be developed for all individuals determined eligible by the State VR agency that will document their rehabilitation goal and the course of action designed to enable the individual to achieve the stated goal, as well as timelines. The development of the IPE requires active participation from the youth and may involve participation and support from the parent and/or guardian. Participation from appropriate school personnel may be encouraged in the development of this plan.
3. The IPE must be developed, agreed to and signed by the student, or the student's representative, and the state VR counselor, as early as possible in the transition process, but no later than the time each VR eligible student leaves the school setting. {Section 101 (a)(11)(D)} The same applies for those able to be served if Order of Selection is in effect. {Section 101 (a)(9)(A); 34 CFR 361.22(a)}

E. Services

1. The Colorado Department of Education will assume primary responsibility for assuring that each administrative unit will have IEPs and supporting planning documents that specify an array of curricular options and experiences designed to assist the youth to make a smooth transition from school to post-school activities. Services are based on the individual needs of the youth and the desired post-school outcomes.

2. DVR and the local school agency may coordinate planning, assessment, training, and other transition services necessary for eligible youth to achieve his or her chosen employment outcome. Refer to the Collaborative Services Chart (Attachment A) for a summary of services and service areas that can be coordinated between DVR and school districts, and for identification of areas of primary service responsibility.
3. Rehabilitation services will be provided as outlined in the Individualized Plan for Employment.
 - a. DVR may require the client or family to complete a financial needs test. If individual or family resources are available according to the DVR financial needs test, these may be applied to the cost of vocational rehabilitation services, including AT services.
 - b. DVR requires a comparable benefits search for some services. If a comparable benefits search is required, the DVR counselor will attempt to locate or fund services through entities outside of DVR, which meet, in whole or in part, the cost of services identified on a youth's IPE.

F. Joint Staff Training and Information Exchange

1. CDE will partner with DVR to develop and provide training and technical assistance to Rehabilitation and Education staff that supports the successful transition and coordination of services for youth with disabilities who receive services under the terms of this agreement. DVR and CDE will collect and disseminate information and materials related to transition services, and will utilize state and national resources to recruit and train staff who provide services to youth with disabilities.
2. To ensure effective referral and service coordination, joint staff education will be provided on an as-needed basis. Education *and* DVR personnel are encouraged to participate in available in-service training sessions provided by *either* agency. These training sessions can serve as the forum to clarify issues of concern between the two agencies including, but not limited to:
 - a) Legislative and statutory responsibilities of both agencies, including changes as they occur in state and/or federal laws.
 - b) The philosophy, roles and responsibilities of each agency.
 - c) The profile of eligible youth and services provided by each agency.
 - d) Clarification of appropriate referrals and eligibility criteria..
 - e) Comparison of the skills, techniques and assessment methods used by each agency.
 - f) Strategies to use and share best practices that enhance transition and positive outcomes for youths with disabilities.
 - g) Ways in which the agencies can work together to coordinate services to youths .

G. Assistive Technology

To ensure the effective use of assistive technology in both education and employment, and to support an employment outcome, the Colorado Department of Education and the Division of Vocational Rehabilitation will coordinate the following areas: assessment for assistive technology, training on the assistive technology device, acquisition and maintenance of assistive technology, the use of assistive technology in transition planning, and guidance regarding the sale

and transfer of assistive technology from the Local Education Agency to the Division of Vocational Rehabilitation.

1. Transfer of Assistive Technology Devices

It is expected that situations will arise in which a device used by a youth for educational purposes will have application with regard to post-secondary activities, such as those associated with the youth's participation with the Division of Vocational Rehabilitation. In the following situation DVR may consider purchasing an AT device from the LEA:

- a) A student has been provided an AT device by the LEA
- b) The student is ready to transition from school to adult programming through DVR
- c) DVR and the student determine that the AT device will continue to meet the needs of the individual in DVR sponsored training, employment or associated activities and it is included in the Individual Plan for Employment
- d) The LEA does not wish to retain the device for assignment to another student

2. Sale of Assistive Technology Devices

If the LEA is willing to consider the sale of AT to DVR, "Fair Market Value" should be determined. The fair market value of an assistive device is the difference between the original purchase price less the reasonable allowance for use. Following are suggested guidelines. Note that several methods for determining fair market value are identified. Any of these can be utilized in an AT buy-out, as can any other methodology upon which the local LEA and DVR office agree:

- a) DVR obtains a copy of the original purchase invoice from the LEA.
- b) Together, DVR and the LEA calculate the current value of the AT by determining the fair market value. The LEA will inform DVR of any known problems with the equipment or any repairs that have taken place.
- c) DVR offers a written proposal to appropriate LEA officials specifying the proposed purchase price and showing the rationale used in arriving at the proposed purchase price.
- d) The LEA accepts or denies the proposed buy-out in writing. If accepted, the purchase proceeds according to standard DVR authorization process. Colorado procurement rules state that when used equipment is purchased, and when the equipment is procured from another government entity, the bid process need not occur.
- e) Upon receipt of payment, the LEA should issue a receipt to DVR with the title, papers, warranty (if available), the operator's manual and other necessary papers. Following the purchase by DVR, the LEA is not liable for any nonconformities or problems with the purchase.

3. Considerations

- a) As a device approaches the end of its useful life expectancy, more consideration should be given to the purchase of new AT as opposed to buying out the older equipment.

- b) If the device's original cost included mounting or adaptation, these are appropriate to include in the original cost, if such mounting or adaptation will be needed for the individual to utilize the device in the DVR program. The cost of the initial training or programming of a device should not be included in the original cost figure.
- c) Resources derived by the LEA from the sale of AT may be used to purchase additional AT equipment, if the local district policy allows for this.
- d) AT purchased by the counselor for use by an individual remains the property of the State of Colorado. When items are issued to an individual, written acknowledgement of State ownership must be obtained from the individual receiving the equipment. If an individual's program does not result in a successful rehabilitation outcome, efforts to recover the equipment must be undertaken.
- e) If the LEA is involved with the School Health Services Program, DVR and the LEA should determine if the local School Health Services Program will impact the purchase of AT for youth.

Section 7 Local Agreements

This agreement between the Colorado Division of Vocational Rehabilitation and the Colorado Department of Education can serve as a formal interagency agreement between local administrative units (BOCES/BOCS and school districts) and local vocational rehabilitation offices. If local systems choose to develop working agreements, this may form the basis of, and should be attached to, the local agreement developed using the format found in Attachment B.

Section 8 Resources and Financial Responsibilities of Each Agency

A. Vocational Rehabilitation

Rehabilitation services are provided by Colorado Division of Vocational Rehabilitation through the use of funds appropriated by the Colorado State legislature and formula matched funds from the Federal Government. Authorization and expenditure of these funds can only be done by an authorized agent of the Division of Vocational Rehabilitation through a process established by the State Agency.

B. Colorado Department of Education

The Colorado Department of Education, through the Special Education Services Unit, oversees the provision of services for youth identified with disabilities in local public agencies and facilities approved by the State Board of Education. These services are funded through state, federal and local funds.

- 1. Colorado Department of Education is responsible for State and Federal Special Education programs through the following:
 - a) Flow of funds to administrative units.
 - b) Monitoring administrative units to ensure legal compliance with State and Federal rules and regulations.

- c) Assuring that all children with disabilities that qualify for services under IDEA and/or ECEA ages 3-21 receive a free appropriate public education in the least restrictive environment.
- d) Providing technical assistance to administrative units to ensure legal compliance and promote quality education.
 - i) Local administrative units are responsible for providing special education services to all eligible youths.

C. Joint Responsibilities

1. It is the intent of both IDEA and the Rehabilitation Act that the education and vocational rehabilitation systems work together to develop and implement coordinated services to improve results for youth with disabilities, improve the effectiveness and efficiency of service delivery, facilitate the linkage of IEPs to other individualized service plans, and ensure that there are no gaps in services as youth leave the school setting. (34 CFR 300.244) (34 CFR 361.22) To that end, the Colorado Department of Education and the Division of Vocational Rehabilitation will establish practices and procedures designed to facilitate joint planning and provision of services for youth who are preparing to leave the school system and enter adult services.
2. It is agreed that each agency shall endeavor to coordinate the collection and sharing of information that will respond to the management, planning, and reporting needs of the two agencies within the confines of confidentiality of each agency.
3. It is agreed that each state agency will assign at least one staff person who will be responsible for coordinating the development of the transition system, for providing state leadership, rendering in-service training, developing in-service training materials, and providing technical assistance to public education agencies and rehabilitation personnel.
4. School district or administrative unit funds will be used to purchase needed equipment and/or services, if required by the IEP for the individual's secondary education. If services or equipment are needed to attain an employment outcome, the Division of Vocational rehabilitation will become involved to determine if services and/or equipment should be provided to eligible individuals as a rehabilitation service. Responsibilities of each agency should be clearly designated on the IEP and IPE of the individual.
5. If a participating agency fails to provide agreed upon transition services described in the IEP of a youth with a disability, the IEP team will be reconvened to identify alternative strategies to meet the transition objectives for the student set out in the IEP. Nothing in this part relieves any participating agency, including a state vocational rehabilitation agency, of the responsibility to provide or pay for any transition service that the agency would otherwise provide to youths with disabilities who meet the eligibility criteria of that agency.

D. Procedures for Reimbursement

1. If DVR believes that transition services are needed for a student who is also a DVR consumer and for which the school district is legally obligated, DVR shall notify the school of its intention to provide the services within 60 days after notice. Thereafter, if the school does not provide or pay for the services within the 60-day notice period, DVR may provide the services. DVR may then claim reimbursement from the school for the actual cost of the services in accordance with the issue resolution process described herein.

2. If the school district believes that transition services are needed for an eligible DVR consumer, who is also a student and for which the DVR is legally obligated the school district shall notify DVR of its intention to provide the services within 60 days after notice. Thereafter, if DVR does not provide or pay for the services within the 60-day notice period, the school may provide the services. The school district may then claim reimbursement from DVR for the actual cost of the services in accordance with the issue resolution process described herein.

Section 9 School to Work Alliance Program

The School to Work Alliance Program (SWAP) is a collaborative initiative between the Colorado Division of Vocational Rehabilitation and local school districts (and BOCES/BOCS). It is supported by the Colorado Department of Education through an annually negotiated interagency contract with DVR. Through this contract, CDE provides technical assistance, training, monitoring, and product development and dissemination. SWAP provides case management and direct services to youth ages 16 – 25 who fit certain criteria, including eligibility for the Division of Vocational Rehabilitation. The primary goal of local SWAP sites is stable, competitive employment for participating youth. SWAP is not designed to, and in practice does not, supplant existing and mandated transition activities. In order to participate in SWAP local school districts or BOCES/BOCS must enter into a contract with the Division of Vocational Rehabilitation. These contracts contain language that in no way conflicts with information presented in this cooperative agreement.

Section 10 Issue Resolution

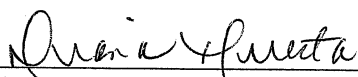
The problem solving process outlined on Attachment C will be used to resolve disputes between the agencies. Every effort should be made to resolve disputes at the lowest level possible.

Section 11 Non-Discrimination and Accessibility

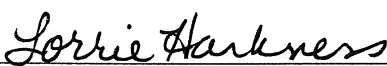
No individual served under this agreement shall be excluded from participation in, denied the services of, or subjected to discrimination because of race, color, religion, gender, national origin, disability, sexual orientation, or political affiliation or belief.

All services provided through this cooperative agreement shall be accessible by all individuals regardless of disability. Programs used shall adhere to Section 504 of the Rehabilitation Act of 1973, as amended, and the provisions of the Americans with Disabilities Act. Further, both parties to this agreement shall have programs that include individuals with disabilities in hiring and promotion policies at all levels in their respective agencies.

Section 12 Signatures, Titles and Date of Signing



Diana Huerta, Director
Colorado Department of Human Services
Division of Vocational Rehabilitation
on behalf of COHS
Date signed: 1-9-03



Lorrie Harkness, Director
Colorado Department of Education
Special Education Services Unit
Date Signed: 12/31/02

Collaborative Services Chart

	GENERAL EDUCATION (504) RESPONSIBILITY	SPECIAL EDUCATION RESPONSIBILITY	REHABILITATION RESPONSIBILITY
Assessment Activities			
Achievement of Functional Math/Reading/Written Expression Skills	Primary	Primary	Minimal
Adaptive Behavior	Minimal	Primary	Minimal
Sensory (Hearing and Vision Screening)	Shared	Shared	Minimal
Fine/Gross Motor (including Physical Education)	Primary	Primary	Minimal
Psychological (Cognitive Ability)	Minimal	Shared	Shared
Social/Emotional (home/peer/work environment)	Minimal	Shared	Shared
Special medical examinations, i.e., orthopedic, ophthalmological	None	Shared	Shared
Speech and Language	Minimal	Primary	Minimal
Community Living Skills	Minimal	Primary	Minimal
Daily Living Skills	Minimal	Primary	Minimal
Transition Planning			
Coordination of Service Delivery	Shared	Shared	Shared
Individual Plan for Employment	Minimal	Minimal	Primary
Individualized Education Program	Minimal	Primary	Minimal
Interagency Linkages	Shared	Shared	Shared
Career Development			
Career Exploration	Shared	Shared	Shared
Financial Support for Post-secondary Education and Training	Minimal	Minimal	Primary
Vocational Skill Training	Minimal	Shared	Shared
Job Placement Services	Minimal	Minimal	Primary
Employment Instruction (obtain/maintain employment including job coaching)	Minimal	Shared	Shared
Follow-up Services/Post-employment	None	Minimal	Primary
Supported Employment	None	Minimal	Primary
Community Living			
Community and Independent Living	Minimal	Shared	Shared
Inter/Intrapersonal Social/Emotional	Shared	Shared	Shared
Health	Shared	Shared	Shared
Related Services			
Occupational Therapy, Physical Therapy, Psychological Services and Communication/Speech and Language Services	None	Primary	Minimal
Mental Health Services	Minimal	Shared	Shared
Assistive Technology			
For K-12 Education (excluding Voc. Ed.)	Minimal	Primary	None
For Job Training (including Voc. Ed.)	Minimal	Shared	Shared
For Postsecondary Education and Training	None	Minimal	Primary
For Employment	None	Minimal	Primary
Auxiliary Aides — e.g., reader, interpreter, notetaker, instructional aide, personal care assistant (excluding personal care attendants)			
For K-12 Education (excluding Voc. Ed.)	Minimal	Primary	None
For Job Training (including Voc. Ed.)	Minimal	Shared	Shared
For Postsecondary Education and Training	None	Shared	Shared
For Employment	None	Minimal	Primary
Transportation			
For K-12 Education (excluding Voc. Ed.)	Minimal	Primary	None
For Job Training (including Voc. Ed.)	Minimal	Shared	Shared
For Postsecondary Education and Training	None	Shared	Shared
For Employment	None	Minimal	Primary
Miscellaneous			
Tools, Uniforms, Licenses	Minimal	Minimal	Primary
Accessibility	Shared	Shared	Shared
Parent Training and Information	Minimal	Shared	Shared

Interagency Working Agreement

Local District
or BOCES _____

Local
DVR _____

Address _____

Address _____

Contact _____

Contact _____

Phone _____

Phone _____

Fax _____

Fax _____

E-mail _____

e-mail _____

A. Referral Process

- 1. Role of the Transition Coordinator
- 2. Role of the DVR Counselor

B. Service Coordination

- 1. Role of the Transition Coordinator
- 2. Role of the DVR Counselor

C. Issue Resolution Process

- 1. Staff Concerns
- 2. Client Concerns

Education
Signature _____

DVR
Signature _____

Education
Signature _____

DVR
Signature _____

Attachment C

The following process will be used to resolve disputes between the agencies:

Issue Resolution Between Agencies

