

Vocational Rehabilitation and Local Education Agency (LEA) Agreement Template

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LEA Agreement

This Agreement shall be known as LEA Agreement between the Division of Vocational Rehabilitation (DVR), and the Local Education Agency (LEA). This agreement may be amended by mutual agreement of the partners.

Purpose

The purpose of the LEA agreement is to provide guidance needed by the Partners (DVR and LEA) to develop plans, policies and procedures for collaboratively identifying and serving students with disabilities who are eligible or potentially eligible for DVR services as they transition from the school system into career-related postsecondary activities (e.g. training, education) and employment.

The intent of this agreement is to:

- Define responsibilities of each partner delivering Pre-Employment Transition Services (Pre-ETS)
- Delineate a basis for effective working relationships
- Promote outreach efforts
- Avoid duplication of services and/or supplanting
- Provide technical assistance and consultation
- Identify grievance procedures and a conflict resolution process
- Understand Workforce Innovation Opportunity Act (WIOA) Section 511 subminimum wage requirements

Pre-Employment Transition Services

- **Job Exploration Counseling-** Explores career path options that are best suited to student skills, abilities, aptitudes, and interest.
- **Work Readiness Training-** Focuses on employability and related skills that prepare students to work. Resume writing, mock interviews, searching for and applying for jobs are covered as a part of this training.
- **Post-Secondary Education Counseling-** Provides information about continuing education options, school choice, accessing financial aid, etc.
- **Work Based Learning Experience-**Provides practical, hands-on training for employability skills. These experiences focus on practicing social skills and building relationships.
- **Instruction in Self-Advocacy & Peer mentoring-** Teaches student how to talk about their needs and make decisions about own life to become more independent.

DVR Responsibilities

- Provide and arrange for the provision of Pre-ETS and other transition services to students with disabilities who are eligible or potentially eligible for DVR services in collaboration with LEAs.
- Collaborate with LEA to conduct outreach activities throughout the school year to promote Pre-ETS.
- Participate or delegate participation on students' IEP/transition meetings, interagency meetings, agency fairs, career expo, or any other school related activity.

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- Provide accommodations, such as qualified interpreters, real-time captioning, assistive listening devices, or other auxiliary aids to students who are Deaf or hard of hearing when necessary to participate in Pre-Employment Transition Services after school hours.
- Provide training and technical support as requested by LEA and other interested parties.
- Ensure definitions of services and other terminology used are compatible and understood by families and providers (including where braiding of funding occurs).
- Develop Individualized Plan for Employment (IPEs) for students eligible for VR services closely aligned with students Individualized Educational Plans (IEPs) and 504 plans.
- Upon request from LEA, assist in planning for the transition of students with disabilities from school to post-school activities including Pre-ETS. Transition planning will integrate a process for seamless transition.
- Review this agreement annually to determine if modifications are needed.

LEA Responsibilities

- LEA is responsible to provide or pay for transition services that are also considered special education or related services and that are necessary for ensuring a free appropriate public education (FAPE) to students with disabilities under IDEA.
- Provide accommodations such as qualified interpreters, real-time captioning, assistive listening devices, or other auxiliary aids to students who are Deaf or hard of hearing when necessary to ensure effective communication.
- Refer students with disabilities ages 14 and older to the DVR program to ensure participation of Pre-ETS and other transition services.
- Refer to the DVR program students with disabilities who express interest in seeking subminimum wage employment after graduation before they exit services under Individuals with Disabilities Education Act (IDEA) to ensure they receive mandated Career Counseling Information and Referral (CCIR) services.

Components

Transition Planning and Coordination

The partners to this agreement shall delineate a basis for an effective working relationship throughout the year by planning and coordinating:

- The best time to meet throughout the year to discuss school year collaboration and update staff contact information. This includes local DVR staff school assignment.
- A systematic referral process, such as submitting referrals via the Student Transition Activity Record (STAR) Portal to follow up with referrals and exchange data. Coordination will include strategies to promote timely access to services.
- VR participation in school events such as student orientations, open house, agency fairs, parent night, interagency advisory meetings, career EXPO etc.
- Integrating an interagency process for seamless transition.
- Meetings to staff mutual students (with signed and dated release of information.)
- Accessing the workforce development system (e.g. Career Source Centers).

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- DVR representation at students' IEP or 504 transition planning meetings.

Transition Planning during IEP/504 meetings should include the following best practices:

- Meeting invitations sent at minimum four (4) weeks prior to scheduling IEP/504 meeting.
- Schedule several students meeting on the same day to increase DVR staff opportunity for participation.
- DVR contingency plan in place if staff is unable to attend in person. This includes participation via phone conference, or written information sent prior to the meeting.
- Facilitate an on-campus meeting space for DVR staff to meet with students and staff during scheduled visits.
- Partners working collaboratively to identify vocational goal and postsecondary career goal for IPE and IEP development.
- If local DVR does not respond to meeting invitations, LEA reaches out to Area/District contact for assistance.

Outreach

Partners will engage in outreach activities to identify and refer students with disabilities and assess transition needs.

- Reciprocal outreach efforts to encourage the referral of students with disabilities 14 years old or older to Vocational Rehabilitation for Pre-ETS. (Early Fall and continue throughout the entire school year).
- DVR will provide guidance to LEA about the referral process through the STAR portal for all student.
- DVR will provide schools with printed DVR materials to share with students, family members and other interested parties.
- Partners shall encourage DVR participation at student events such as parent night, open house, student orientation etc., prior to and during the school year.
- Discuss the possibility of having a DVR representative present at the assigned school to conduct intakes or other VR meetings.

Supplementing Versus Supplanting

Under this agreement, each partner at the local/state level will coordinate plans so that the Pre-ETS and other DVR transition activities supplement or enhance, but do not supplant transition and related services offered to the students under IDEA.

DVR shall only authorize payment for transition services that are outside the scope of services available to students with disabilities under IDEA. DVR will use the following criteria for determining the financial and programmatic responsibilities of each partner delivering Pre-ETS to students with disabilities, including situations where the LEA is a registered VR Pre-ETS provider:

- a) **Purpose of the service-** DVR and the LEA should discuss the purpose of the service. If the purpose of the service is related to an employment outcome, it is the

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programmatic responsibility of VR. If the purpose is related to education attainment, it is the programmatic responsibility of the LEA. Pre-ETS authorized by DVR shall not duplicate the services listed on the IEP. Services listed on a student's 504 Plan are the responsibility of the LEA.

- b) **Customary services-** If the service is one that the school customarily provides it is the responsibility of the LEA and VR shall not pay the LEA for rendering the service as a VR registered Pre-ETS provider.
- c) **Eligibility-** WIOA defines a student with a disability to be a student who has an IEP and/or a 504 plan and therefore eligible to receive Pre-ETS. The LEA is not required by law to provide transition services to students with a 504 Plan, only. Therefore, offering Pre-ETS to students with only a 504 plan would not be considered supplanting.

The LEA provides transition services as described under IDEA in accordance with the student's IEP that may be used as a comparable benefit for Pre-ETS. Likewise, DVR may provide Pre-ETS or transition services to a student with a disability when that service is not identified on the IEP and determined by DVR as a necessary Pre-ETS or transition service.

No Partner will seek reimbursement from another Partner or LEA for services they have paid on behalf of a mutual student, even if those services would normally be the responsibility of the other Partner, unless required and directed to do so for compliance and adherence to federal and state regulations.

Nothing under title I of the Rehabilitation Act shall be construed as reducing a LEA's or any other agency's obligation under the IDEA to provide or pay for transition services that are also considered special education or related services and that are necessary for ensuring a free appropriate public education (FAPE) to children with disabilities.

Technical Assistance & Consultation

DVR will provide technical assistance and routine support as requested to students, family members, advocates, educators, counselors, service providers, other state agency staff and the general public regarding policies, practices and procedures related to transition services, including Pre-ETS.

Technical Assistance (TA) may be provided through alternative means including joint training with school staff, telephone and video conference consultation, as requested.

In addition, DVR may provide TA, resources, on-site review and consultation to providers on:

- Service requirements
- Professional standards for vendor staff
- Provider staff qualification requirements
- Performance standards

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Grievance Procedures & Conflict Resolution

Partners are encouraged to resolve any conflict at the local level by contacting the DVR Unit Supervisor, or School District Representative (SDR). Any conflict that cannot be resolved at the local level shall be directed to the DVR District/Area office or LEA main Point of Contact (POC). If resolution is not obtained at the District/Area level, the next step is to direct the complaint in writing to the state-level Administrator . Each partner to this agreement shall appoint one Administrator to review the situation, along with agreement terms, rules, and status to facilitate a resolution of the dispute.

Other Considerations: Section 511 of Rehabilitation Act

WIOA Section 511 requires delivery of Career Counseling Information and Referral services (CCIR) to students planning to participate in subminimum wage. Entities holding a 14(c) certification are not allowed to compensate a youth with a disability at subminimum wage, unless the student receives documentation from DVR upon completion of all the following activities:

1. Pre-employment transition services under WIOA, or transition services under the Individuals with Disabilities Education Act (IDEA); and,
2. Application for vocational rehabilitation services where the student 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.
3. Career counseling and information and referral (CCIR) 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.

Partners Contact Administrators

The following shall be the contact person for all communications regarding the performance of this LEA agreement.

- Division of Vocational Rehabilitation
Johana Valdivieso (863) 837-1971; and/or
Brandi Boyer Rutherford (850) 872-4383
VRTransitionYouth@vr.fldoe.org
- Bureau of Exceptional Education and Students Services
Wendy Metty (850) 245-0475
Wendy.Metty@fldoe.org

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Glossary of Abbreviations and Acronyms

CCIR	Career Counseling Information and Referral
DVR	Division of Vocational Rehabilitation
FAPE	Free Appropriate Public Education
IDEA	Individuals with Disabilities Education Act
IEP	Individualized Educational Plan
IPE	Individualized Plan for Employment
LEA	Local Education Agency
Pre-ETS	Pre-Employment Transition Services
STAR	Student Transition Activity Record
TA	Technical Assistance
WIOA	Workforce Innovation Opportunity Act

The Florida Department of Education, Division of Vocational Rehabilitation (VR) is an equal opportunity employer. It is against the law for VR as a recipient of Federal financial assistance to discriminate against any individual in the United States on the basis of race, color, religion, sex, national origin, age, disability, political affiliation or belief. The application process used by VR to determine eligibility for services, any subsequent services and the entire VR process are subject to these non-discrimination requirements. Auxiliary aids and services are available upon request to individuals with disabilities. VR program receives 78.7 percent of its funding through a grant from the U.S. Department of Education. For the 2020 Federal fiscal year, the total amount of grant funds awarded were \$153,000,001. The remaining 21.3 percent of the costs (\$41,409,148) were funded by Florida State Appropriations. Revised October 2020.

La División de Rehabilitación Vocacional (RV) del Departamento de Educación de Florida es un empleador que ofrece igualdad de oportunidades. Es contra la ley que RV como beneficiario de asistencia federal discrimine contra cualquier persona en los Estados Unidos por motivos de raza, color, religión, sexo, origen nacional, edad, discapacidad, afiliación política o creencia. El proceso de solicitud utilizado por RV para determinar la elegibilidad para servicios, los servicios posteriores y el proceso entero de RV son sujetos a estos requisitos de no discriminación. Las ayudas y servicios auxiliares están disponibles a pedido a las personas con discapacidades. El programa RV recibe 78.7 por ciento de su financiamiento a través de una subvención del Departamento de Educación de los EE. UU. Para el año fiscal federal 2020 el monto total de los fondos de la subvención otorgados fue de \$153,000,001. El restante 21.3 por ciento de los costos (\$41,409,148) fueron financiados por las Apropiações del estado de Florida. Revisado en octubre de 2020.