

MEMORANDUM OF UNDERSTANDING

between

**LOUISIANA WORKFORCE COMMISSION/
Office of Workforce Development/Louisiana Rehabilitation Services**

AND

LOUISIANA DEPARTMENT OF EDUCATION

this agreement entered into the 1st day of July 2022 by and between:

LOUISIANA WORKFORCE COMMISSION/Office of Workforce Development/Louisiana Rehabilitation Services (hereinafter referred to as LWC/LRS);

AND

The Louisiana Department of Education (hereinafter referred to as LDE)

WHEREAS, LOUISIANA WORKFORCE COMMISSION/Office of Workforce Development/Louisiana Rehabilitation Services desires to enter into an Agreement for the provision of Pre-Employment Transition Services (Pre-ETS) for potentially eligible students with disabilities and for the provision of Vocational Rehabilitation (VR) services for VR eligible students with disabilities and no later than their exit year from the Louisiana Public School System.

WHEREAS, the LDE supports transition planning for students with disabilities, which includes career and vocational training, as well as diploma pathways that require students attain employment, mastery of specific employability skills and self-help skills, or access to services outside the legal responsibility of public education including but not limited to services offered by LWC/LRS.

NOW THEREFORE, for and in consideration of the mutual promises and obligations herein contained, both parties agree as follows:

1. Available federal, state, and local funds will be used to accomplish the responsibilities of this agreement.
2. All applicable federal and state regulations will apply, including but not limited to Bulletin 1706, Regulations for Implementation of the Exceptional Children's Act, the Individuals with Disabilities Education Act, the Rehabilitation Act of 1973 as amended by the Workforce Innovation and Opportunity Act (WIOA).
3. Parties will exchange records and information on mutually served students/consumers as needed in strict compliance with all applicable policies governing consent and confidentiality including any and all policies established with individual Local Education Agencies (LEAs).
4. LWC/LRS and LDE will establish and maintain communication with appropriate agency stakeholders regarding necessary collaborative efforts that improve the quality of transition services at the state, regional, and local levels.

5. LWC/LRS and LDE, in accordance with the terms of this agreement, recognize the need to provide Pre-ETS on a cooperative basis for students with disabilities who are applicants for, or recipients of, LWC/LRS services, attending LDE secondary schools, who fall under the Order of Selection Group that LWC/LRS is currently serving, as stated in the State Plan. The aforementioned students should only receive Pre-ETS if they are potentially eligible for VR services, if LDE has received certification from LWC/LRS that the student has been determined eligible for Pre-ETS services, and students meet the Workforce Innovation and Opportunity Act (WIOA) definition of Student with Disability described as follows:

- eligible for, and receiving, special education or related services under Part B of the Individuals with Disabilities Education Act (20 U.S.C. 1411 et seq.); or
- individuals with a disability, for purposes of section 504; and
- eligible or potentially eligible for VR services.

LWC/LRS and LDE will collaborate to provide outreach information to all eligible students with disabilities, including but not limited to, a description of the vocational rehabilitation program, eligibility requirements, application procedures and the scope of services provided.

6. This agreement does not obligate the expenditures of funds by either party.

A. LWC/LRS agrees to:

1. Ensure that the State Plan contains plans, policies, and procedures, to coordinate services designed to facilitate the transition of students with disabilities from the provision of educational services to vocational services that provide for:
 - a) Development of criteria and timelines for an effective and efficient process to refer students to LWC/LRS.
 - b) Provision of orientation and information sessions for students with disabilities (and their families) who express an interest in applying for Pre-ETS and/or Vocational Rehabilitation services. These sessions will typically occur as a group presentation or individual meetings that will focus on informing students and their families about the services offered by LWC/LRS.
2. Use Vocational Rehabilitation funds for the provision of Pre-ETS for students with disabilities who are potentially eligible for the VR program (between the ages of 16-21) as determined by LWC/LRS and that are not the responsibility of the education system as required by Section 113 of the Workforce Innovation and Opportunity Act (WIOA). LWC/LRS will collaborate with LDE to provide any or all of the following five pre-employment transition required activities to students with documented disabilities, based on individual need, once a student requests or is recommended for one or more Pre-ETS. The five required activities include: (1) Instruction in Self-Advocacy; (2) Work-Based Learning Experiences; (3) Counseling on Opportunities for Enrollment in Comprehensive Transition or Postsecondary Educational Programs at Institutions of Higher Education; (4) Workplace Readiness Training; and (5) Job Exploration Counseling.
3. Ensure that Vocational Rehabilitation counselors determine eligibility for Vocational Rehabilitation services for referred students within the timelines established by agency policy.
4. For each student determined eligible for Vocational Rehabilitation services, LWC/LRS will follow written procedures to ensure those who are in an open category for Order of Selection (OOS) leave the school system with a complete Individualized Plan for Employment (IPE) that

incorporate appropriate segments of the Individualized Education Plan (IEP) (if applicable) and projected employment needs.

5. As required by Section 101 (a)(11) (D) of the Rehabilitation Act, LWC/LRS is responsible for provision of Vocational Rehabilitation services on the approved IPE for eligible students that relate directly to the achievement of the agreed upon vocational goal. Vocational Rehabilitation services may be delivered to best meet the needs of the individual, and may include, but are not limited to, LWC/LRS VR counselors providing services either in-person or in groups at no cost to the LDE or local school districts; LWC/LRS hiring qualified vendors with approved Provider Agreements to deliver (Pre-ETS) one on one or in groups at no cost to the LDE or local school districts; LWC/LRS using online modules or web-based services as they become available; LWC/LRS may enter into Third-Party Cooperative Agreements with LEAs to provide (Pre-ETS) through a transition specialist, who meet LWC/LRS qualifications and are employed by the LEA.
6. Collaborate with LDE to create guidelines, policies, and procedures for implementing WIOA in the Local Education Agencies (LEAs).
7. Coordinate with LDE to create guidelines for districts that will guarantee the provision of Pre-ETS are made available to each LEA.
8. Assist in cooperative planning to provide cross agency training relevant to Pre-ETS and vocational rehabilitation services for transition students.
9. Assist regional offices to fully utilize data provided by LEAs. This data will include the projection of service needs for those students with disabilities. Only data that is in strict compliance with all applicable policies governing consent and confidentiality, including any and all policies established with individual LEAs will be provided to LWC/LRS.
10. Support participation in regional transition councils and local core transition teams that address the transition and vocational preparation of students with disabilities.
11. Provide LDE and individual LEA's consultation and technical assistance to assist educational agencies in planning for the transition of students with disabilities from school to post-school activities, including Pre-ETS. Consultation and technical assistance will be provided through various means, including face to face meetings, as well as conference calls and video conferences.

B. LDE agrees to:

1. Advise and encourage LEAs to support the provisions of Pre-ETS and Vocational Rehabilitation services through LWC/LRS.
2. Use agency funds to support transition to post-secondary goals.
3. Advise and encourage LEAs to create procedures for sharing, on an annual basis, with the LWC/LRS Regional offices, the names of students who have given consent for agency collaboration.
4. Advise and encourage LEAs to facilitate appropriate orientation meetings among LWC/LRS staff, students, and family members.
5. Encourage LEAs to establish a local and/or regional interagency core transition team to share strategies for creating successful transition programs and opportunities for students.

6. Assist in cooperative planning to provide cross agency training relevant to Pre-ETS and vocational rehabilitation services for transition students.
7. Advise and encourage LEAs to provide to LWC/LRS a signed IEP, a signed 504 accommodation plan/IAP, or other medical documentation of a disability signed by the appropriate medical professional; a complete Pre-ETS Information and Consent Release (Pre-ETS-1); and a complete Louisiana Voter Registration Application (LA-VRA) if the student is 18 years of age or older. For the student under the age of 18, the parent or guardian must be provided with the Louisiana Voter Registration Application (LA-VRA). The information will be provided to LWC/LRS with the consent of the consumer and/or the parent or guardian, as applicable, for students under the age of 18.
8. Per 34 CFR 397, the appropriate school official, responsible for the provision of transition services, must provide LWC/LRS documentation of completion of appropriate transition services/activities under the Individuals with Disabilities Education Act, in a manner that complies with confidentiality requirements of the Family Education Rights and Privacy Act. The documentation should include the youth's name; a description of the service or activity completed; the name of the provider of the service; the date the service/activity was completed; signature and date signed of educational personnel documenting completion of the service/activity; and signature of the educational personnel transmitting the documentation to LWC/LRS including the date and method of transmittal.

The educational personnel must transmit the documentation of the completion of transition services as soon as possible upon completion, but no later than 30 calendar days after completion of transition services or 60 calendar days, due to extenuating circumstances. Extenuating circumstances should be interpreted narrowly to include the unexpected lengthy absence, due to illness of family emergency of the educational personnel necessary to produce or transmit the documentation, or a natural disaster.

When the educational personnel transmit the last documentation to LWC/LRS, the educational personnel must provide a coversheet that itemizes the documentation that has been provided to LWC/LRS regarding that youth.

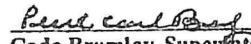
In the event that a youth with a disability or, as applicable the youth's parent or guardian , refuses, through informed choice, to participate in transition services, the LEAs will provide LWC/LRS with documentation of the refusal to participate that includes the reason for refusal, the youth/parent or guardian signature, signature of the educational personnel documenting the youth's refusal, date of signatures and the signature of the educational personnel transmitting documentation to LWC/LRS, with the date and method of transmittal of the refusal to LWC/LRS. The educational personnel must transmit the documentation of the student's refusal as soon as possible to LWC/LRS, but no later than 5 calendar days of the youth's refusal to participate.

9. Assure that, in accordance with 34 CFR 397.31, neither the LDE, nor individual LEA's will enter into a contract or other arrangement with an entity, as defined in 34 CFR 397.S(d), for the purpose of operating program under which a youth with a disability is engaged in work compensated at a subminimum wage.

Nothing in this agreement will be construed to reduce the obligation under IDEA of a LEA or any other agency to provide or pay for transition services, including pre-employment transition services, that are also considered to be a special education or related service necessary for a free appropriate public education (FAPE) in accordance with Section 101 of the Rehabilitation Act and 34 C.F.R. § 361.22(c) .

ADMINISTRATIVE AGREEMENT

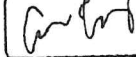
The term of this agreement is for a period of three years (July 1, 2022 - June 30, 2025) and is effective upon signature of the Secretary of the Louisiana Workforce Commission, and the Louisiana Department of Education's Director of Special Education Policy. This Agreement may be modified at any time by written agreement of the partners. Either partner may cancel participation in the agreement upon 60 days written notice to the other partner.



Cade Brumley, Superintendent
Louisiana Department of Education

20 Feb 23

Date

DocuSigned by:




Ava Cates, Secretary
Louisiana Workforce Commission

4/14/2023

Date