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EXECUTIVE DIRECTOR
ND DEPT. OF HUMAN SERVICES

**MEMORANDUM OF UNDERSTANDING
CONCERNING
COOPERATION AND COLLABORATION
IN PROVIDING SERVICES TO
STUDENTS WITH DISABILITIES AGES 16 - 21
IN NORTH DAKOTA**

The term of this agreement is
July 1, 2011 – June 30, 2015 or until such time as IDEA is reauthorized

Purpose

The purpose of this Memorandum of Understanding is to identify a collaborative approach to services provided to students with disabilities ages 16-21 in North Dakota. Transition services, as defined in IDEA 2004 is a “coordinated set of activities for a child with a disability that is designed to be within a results oriented process, that is focused on improving the academic and functional achievement of the child with a disability to facilitate the child’s movement from school to post-school activities, including post-secondary education; career and technical education, integrated employment (including supported employment); continuing and adult education; adult services; independent living or community participation.”

The intended results of the collaborative strategies and activities of the herein mentioned agencies in this agreement is that the students will achieve their Post-secondary goals.

Parties and Agency Roles

The parties to this Memorandum of Understanding include:

- Department of Public Instruction (Office of Special Education)
- Department of Human Services
 - Division of Vocational Rehabilitation
 - Developmental Disabilities Division, and
 - Division of Mental Health & Substance Abuse Services
- Department of Health
 - Division of Children’s Special Health Services
- Job Service North Dakota
- Department of Career and Technical Education

The *Department of Public Instruction, Office of Special Education* is responsible for special education for children ages three (3) through twenty-one (21). The Department of Public Instruction shall assume the role as lead agency for implementation of the Memorandum of Understanding. This shall be completed with qualified personnel within the Department of Public Instruction, Office of Special Education and statewide educators at the local education agencies. All qualified educators and related service personnel meet the licensing and credentials of the ND Educational Standards and Practices Board (ESPB) and respective state and national licensing authorities.

The Department of Public Instruction, Office of Special Education is responsible to consult with and provide technical assistance to local school districts so they can prepare students with disabilities to move successfully from school to the appropriate post-school environment and to assist the student to connect with the necessary community agencies that provide support services. The students' measurable post secondary goals are identified as part of the Transition IEP planning process and are based upon the student's preferences, interests, and strengths. Transition services, including work experiences that are educational are the responsibility of the local educational agency. Appropriate services include planning and IEP development based on post secondary goals, academic preparation for post secondary education and training, vocational and career evaluation, job shadow experiences, and career and technical classes.

The *North Dakota Department of Human Services (DHS)* provides services that meet the special needs of children, families, and people with mental and physical disabilities. The Division of Vocational Rehabilitation (VR) provides counseling and training services leading to employment for individuals with disabilities; the Developmental Disabilities (DD) Division administers the statewide community-based delivery system for people of all ages who have intellectual disabilities or other developmental disabilities; and the Division of Mental Health and Substance Abuse Services provides regulation, grants management, reporting, technical assistance, training, and development and implementation of appropriate mental health and substance abuse services throughout the state. The Division also administers the Statewide Transition to Independence (TIP) program and oversees children's mental health services provided through the human service centers.

It is the responsibility of Vocational Rehabilitation to develop Individualized Plans for Employment (IPE) for eligible students as they leave the school setting and begin activities leading to employment. Appropriate services include counseling and guidance, planning, assessment for VR eligibility and to determine rehabilitation needs, identification of employment outcomes, development of an IPE, and provision of vocational services as appropriate to the individual needs of the consumer. VR also provides technical assistance to IEP teams on career planning and other employment issues as well as information and referral services to agencies that provide services to adults including transition services.

It is the responsibility of Developmental Disabilities to provide support and training to individuals with disabilities and their families in order to maximize community and family inclusion, independence, and self-sufficiency; to prevent institutionalization; and to enable institutionalized individuals to return to the community. Potential services can include guardianship, day habilitation, employment supports and residential living supports, and family supports.

It is the responsibility of the Division of Mental Health and Substance Abuse Services to provide technical assistance, training, and program oversight at the regional human

service centers to provide case management services to eligible transition aged youth, age 14-24 guided by a person-centered treatment plan. It is the responsibility of the partnerships staff at the regional human service centers to provide care coordination to children/youth, age 0-21, with serious emotional disturbances and their families, guided by a single plan of care. Both programs operate on the wraparound philosophy which focuses on an individualized, least restrictive and most appropriate approach to care.

North Dakota Department of Health, Division of Children's Special Health Services (CSHS) provides services for children with special health needs and their families and promotes family-centered, community based, coordinated services and systems of health care. CSHS will collaborate with other state, local and family organizations to promote healthcare transitions for children with special health care needs ages 16-21. The division will provide and disseminate information and resources to promote successful health transitions, help to identify health representatives to participate on regional transition committees, and provide representation for the State Transition Community of Practice Advisory Council. CSHS will explore ways to collect and analyze health related transition data.

Job Service North Dakota provides customer-focused services to meet the current and emerging workforce development needs of the state.

It is the responsibility of Job Service to provide students with disabilities appropriate referral to employment opportunities, provide career counseling within the realm of existing services, and provide information on training programs and referral to one-stop partners.

The *Department of Career & Technical Education* works to provide all North Dakota citizens with the technical skills, knowledge, and aptitudes necessary for successful performance in a globally competitive workplace.

It is the responsibility of Career and Technical Education, to the extent possible; to provide access to career and technical programs for students with disabilities across the state in high schools and career and technical educational postsecondary institutions, provide career awareness, work readiness skills, occupational preparation and training of workers throughout the state.

Areas of Cooperation

The parties have identified areas of cooperation in facilitating coordinated services, maximizing available resources, and avoiding the duplication of services. The parties strongly encourage their respective local programs to develop interagency memoranda of understanding that will define relationships and specify areas of cooperation.

Numerous methods of cooperation may be employed to implement services to students with disabilities, ages 16-21 and the families of those students. The areas of cooperation are as follows but are not considered to be all-inclusive:

State Secondary Transition Community of Practice Advisory Council and the Transition to Independence Program Advisory Council: The parties will support respective agency membership on these councils.

The *State Secondary Transition Community of Practice Advisory Council* operates in an advisory role to the North Dakota Department of Public Instruction, Office of Special Education/Transition Coordinator as a Community of Practice working together around shared issues. The Community of Practice creates and shares information and resources to improve outcomes for youth with disabilities.

The *Transition to Independence Program Advisory Council* operates in an advisory role to the North Dakota Department of Human Services. The Council consists of representatives of various system partners such as education, juvenile justice, legislative assembly, parents, and youth. The council advises the department concerning program and policy issues, delivery of services, and methods for reaching potential consumers.

Communication. Each party will participate in ongoing communication to implement this memorandum of understanding. The Leadership team consisting of the unit directors of each agency will meet as needed to review any issues that have arisen.

Outreach and Referral. The Department of Public Instruction will promote and participate in a statewide child find and public awareness interagency effort and cooperate with other agencies in their separate outreach and referral activities. The parties will establish compatible procedures for mutual referral. VR will coordinate with local schools to meet with teachers and staff regarding VR services and potential referrals.

Evaluation. The parties will promote and encourage interagency sharing and standardization of evaluation and assessment information for the purpose of identifying the impact of the disability and needed services.

Individual Program Planning (IEP). The parties will make a conscientious effort to see that individualized programming reflects input from all of the appropriate local agencies involved with the student and the family. This can be accomplished by scheduling meetings involving persons from all local agencies, developing written agreements, developing shared forms, and being informed of which agency services impact the student.

Transition. North Dakota Division of Vocational Rehabilitation and North Dakota Department of Public Instruction, Office of Special Education, have developed policies and procedures to meet state and federal mandates for transitioning students with disabilities from high school to post school. The parties plan together to avoid duplication and to facilitate transition activities.

Regional Transition Communities of Practice and Transition to Independence Program Regional Subcommittees. The parties will support regional interagency Communities of Practice or subcommittees. Regional communities of practice will promote communication and collaboration among stakeholders to identify priority areas for the region and determine necessary strategies to achieve specific outcomes. The Transition to Independence regional subcommittees consist of representatives of various system partners such as education, juvenile justice, legislative assembly, parents, and youth. The subcommittee will advise the regional human service center on program and policy issues, delivery of services, and methods to reach potential consumers.

Family Involvement. The parties will support and empower family members and students to be active participants in the development and implementation of services for their children with disabilities based on individualized programming.

Professional Development. The parties will jointly plan, fund, and implement, whenever possible, combined professional development activities that also promote family involvement and evidence based practices.

Shared Resources. The parties may develop a system of shared resources which may include shared personnel, cooperative resource libraries, parent training, contracted services, and exchange of in-kind services, e.g., transportation, appropriate to state and local conditions.

Data Sharing. When possible, these agencies will collaborate on accountability data sharing.

Fiscal and Administrative Considerations. To maximize available financial resources, the parties may enter into cooperative agreements to serve students with disabilities ages 16-21 and the families of those students. Local agreements will address all available resources, both public and private, to support services.

Natural Environments/Least Restrictive Environment. To meet federal and state mandates that assure students are served within their natural environment or least restrictive environment, the parties will cooperate to the greatest extent possible to provide services and support to students with disabilities and their families in settings with other age appropriate students.

Confidentiality of Information. While conforming to individual agency confidentiality and release of information requirements and procedures, the parties will develop common policies and procedures for the sharing of relevant information that will better serve the needs of the student with disabilities.

Technical Assistance and Training. The parties will cooperate in providing technical assistance and training in the development and implementation of local agreements.

Assurances

All parties will comply with all applicable laws, rules, regulations, and policies including, but not limited to, 29 CFR Part 37 relating to nondiscrimination, accessibility, and civil rights.

Dispute Resolution Among the Parties

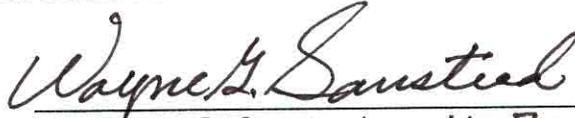
The ND Office of Administrative Hearings will serve as the designee for the resolution of disputes.

Termination and Effective Date of the Memorandum of Understanding

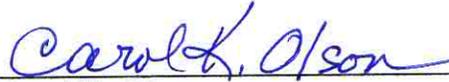
This memorandum of understanding (MOU) may be voluntarily terminated by any party by giving 30 days written notice to the other parties. In the event the federal and/or state laws should be amended so as to render the fulfillment of the MOU infeasible, any party shall be discharged from further obligation created under the terms of this MOU. This MOU will be in effect until the next reauthorization of the Individual's with Disabilities Act.

Dissemination

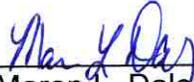
Each party will disseminate this memorandum of understanding to that agency's respective local agencies, grantees, and contractors.



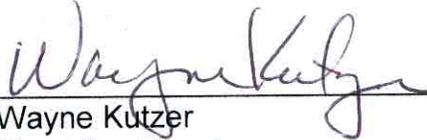
Dr. Wayne G. Sanstead *11-30-11*
Superintendent
ND Department of Public Instruction



Carol K. Olson *12/2/11*
Executive Director
ND Department of Human Services



Maren L. Daley
Executive Director
Job Service North Dakota



Wayne Kutzer
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State Board of Career and Technical Education



Arvy Smith
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