

## 1. Introduction

The Oregon Department of Human Services (ODHS) Vocational Rehabilitation (VR) and Office of Developmental Disabilities Services (ODDS) share a common mission, philosophy, and goal to increase competitive integrated employment opportunities for individuals with intellectual and developmental disabilities (IDD). Because of the interdependent nature of the service system, each office also shares a need to collaborate to accomplish this objective. This mutual goal is best achieved by the ODDS and VR joint adoption and endorsement of the ["Employment First Policy"](#) for working age individuals with IDD.

## 2. Purpose, Goal, and Objectives

This Memorandum of Understanding (MOU) is to be implemented statewide, with a target population of all working age individuals with IDD who are eligible for both VR and ODDS services. This also includes students or youth with disabilities engaged in employment related transition services. The general purpose of this MOU is to maintain the intent of the Employment First Policy that prioritizes employment opportunities in competitive integrated employment settings for working age individuals with IDD and fulfill mandates from the Workforce Innovation and Opportunity Act (WIOA). This framework empowers individuals with IDD to maximize employment, economic self-sufficiency, independence, inclusion, and integration into society.

- 2.1 The specific purpose is to outline mutual goals, strategies, actions, and responsibilities to increase the opportunities and success of working age individuals with IDD to achieve and sustain competitive integrated employment.
- 2.2 The objectives supporting this intent are to:
  - (a) Promote actions that will directly improve employment outcomes for mutual clients;
  - (b) Promote systems change that positively and collaboratively impacts the effective and efficient operation of VR and ODDS;
  - (c) Engage all applicable community partners in the accomplishment of desired outcomes.

### **3. Parties**

Within ODHS, VR, and ODDS desire to enter into an MOU to provide improved employment outcomes for individuals with IDD.

- 3.1 VR will assist and assure that individuals exercise informed choice to identify employment that is consistent with their unique strengths, resources, priorities, concerns, abilities, capabilities, and interests. VR will develop individualized plans of employment (IPE) to address identified employment barriers and provide necessary and personalized services to eligible individuals. If VR is operating under an Order of Selection, VR will refer applicants to ODDS as appropriate.
- 3.2 ODDS provides supports and services to youth and adults with IDD. Eligible individuals and their families can access service coordination, generic and specialized services to provide the support, including appropriate employment support, based on the individual needs of the person, to be able to live independent, productive lives integrated within their community.

### **4. Mutual Responsibilities of the Parties**

VR and ODDS agree to perform the following:

- 4.1 Promote a goal that all persons with IDD who want to work in the community will be afforded an opportunity to pursue competitive integrated employment that allows them to work the maximum number of hours consistent with their abilities and interests;
- 4.2 Maintain policies and assurances that the standard for planning and implementing supported employment services is the opportunity to work at least 20 hours per week, recognizing that based on individual choice, interests, and circumstances, some individuals may choose to work at a different level;
- 4.3 Collaboratively govern this MOU;
- 4.4 Collaboratively design a coordinated service system that continues to produce positive employment outcomes and engage VR and DD staff, service providers (contractors) and other community partners at the local level, through strategies that include; regional training, use of a uniform referral and release of information, self-employment, summer work experience, and expanding youth services;
- 4.5 Determine gaps or other issues in services and eliminate those gaps or issues through local and regional strategies including dispute resolution.
- 4.6 Share data, within the bounds of confidentiality and as established through the Data Sharing Agreement.

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- 4.7 Continue to encourage networking and collaboration among VR and ODDS at regional and local levels; and
- 4.8 Collaboratively address capacity by use of strategies including classroom training for contractors, contractor training modules available on-line; and by co-enrolling contractors.

## **5. Individual Responsibilities of the Parties**

In addition to the mutual responsibilities listed in section 4, ODDS agrees to do the following:

- 5.1 Assure that the Community Developmental Disabilities Program (CDDP)/Brokerage working with the individual who is referred to VR provides as much pertinent existing information as possible to assist in planning the individual's employment goal and developing their VR individualized plan for employment (IPE). Documents that may be available include, but are not limited to; work history, Individual Support Plan (ISP), Career Development Plan (CDP), Behavior Support Plan (BSP), original eligibility determination documentation and Discovery Profile. The Universal Referral and Release of Information documents were developed to assist in this effort. The Service Coordinator or Personal Agent will attend as many team meetings as possible to assure that information is shared and understood by the entire team;
- 5.2 The ISP reflects the VR plan (IPE) and is updated in a timely fashion as needed to support necessary changes in supports for the individual;
- 5.3 For those eligible for long term support services, ODDS will provide this support once the individual's job reaches stabilization;
- 5.4 Refer individuals for ODDS services (e.g., Discovery, Employment Path) at the individual's request and when the team agrees that it is the appropriate course of action;
- 5.5 Share information on new services provided to the individual with the team including VR;
- 5.6 If VR goes into Order of Selection, ODDS may fund exempt services under 34 CFR 361.53 and those services are considered not available to the individual consistent with OAR 411-345-0025 and 42 CFR 441.302(i)(1) (including but not limited to job development, initial job coaching, and related services for individuals eligible for services through ODDS). During Order of Selection, these services are considered not available to the individual under section 110 of the Rehabilitation Act of 1973 when the Order of Selection waitlist process will cause a delay to the progress of the individual toward achieving the employment outcome.

In addition to the mutual responsibilities listed in section 4, VR agrees to do the following:

- 5.7 Utilize existing employment data/information to the maximum extent possible when working with an eligible individual in the development of an employment plan to select their employment goal based on informed choice and include identified and necessary services to address impediments to employment; if VR is operating under an Order of Selection, VR will initiate plan development when the eligible individual is not assigned to the waitlist and is in an open disability category;
  - 5.7.1 Include Brokerage and CDDP staff in the individuals targeted team meetings, at a minimum, the intake meeting and the IPE development meeting(s);
  - 5.7.2 The IPE reflects the ISP and other pertinent ODDS employment services and is amended as needed to reflect changes in needed services as well as changes in ODDS services for the individual;
  - 5.7.3 Provide job development and job coach services until job stabilization is reached. Job stabilization is determined by the individual and their VR Counselor;
- 5.8 Share employment outcome data with the individual's team as defined in 6.9, including CDDP or brokerage staff on an ongoing and timely basis, including but not limited to; during advancement toward the employment goal, at job placement, and at the approach and accomplishment of job stabilization;
- 5.9 If VR is operating under an Order of Selection, VR will encourage and assist VR job development contractors to become ODDS providers of job development services;
- 5.10 If VR is operating under an Order of Selection, VR will refer applicants to ODDS for appropriate employment services.

## **6. Definitions**

- 6.1 Behavior Support Plan (BSP) – a written plan for behavior support utilizing individualized positive support techniques that includes: a summary of needs, preferences, and relationships of the individual; functions of the behavior; strategies related to the functions of the behavior; prevention strategies; early warning signals or predictors; a general crisis response plan; specific instructions for staff who provide support; and, positive behavior supports that include least intrusive intervention possible.
- 6.2 Career Development Plan (CDP) -- means the part of an ISP that identifies: the employment goals and objectives; services and supports needed to achieve those goals; people, agencies and providers assigned to assist with goal attainment;

obstacles to working in an individualized job in a competitive integrated employment setting; and is based on person-centered planning principles.

**6.3 Competitive Integrated Employment – means work that-**

Is performed on a full-time or part-time basis (including self-employment) and for which an individual is compensated at a rate that-

(A) Is not less than the higher of the rate specified in section 6(a)(1) of the Fair Labor Standards Act of 1938 ([29 U.S.C. 206\(a\)\(1\)](#)) or the rate required under the applicable State or local minimum wage law for the place of employment;

(B) Is not less than the customary rate paid by the employer for the same or similar work performed by other employees who are not individuals with disabilities and who are similarly situated in similar occupations by the same employer and who have similar training, experience, and skills; and

(C) In the case of an individual who is self-employed, yields an income that is comparable to the income received by other individuals who are not individuals with disabilities and who are self-employed in similar occupations or on similar tasks and who have similar training, experience, and skills; and

(D) Is eligible for the level of benefits provided to other employees; and

(ii) Is at a location—

(A) Typically found in the community; and

(B) Where the employee with a disability interacts for the purpose of performing the duties of the position with other employees within the particular work unit and the entire work site, and, as appropriate to the work performed, other persons (e.g., customers and vendors), who are not individuals with disabilities (not including supervisory personnel or individuals who are providing services to such employee) to the same extent that employees who are not individuals with disabilities and who are in comparable positions interact with these persons; and

(iii) Presents, as appropriate, opportunities for advancement that are similar to those for other employees who are not individuals with disabilities and who have similar positions.

- 6.4 Discovery –** is an ODDS time-limited comprehensive person-centered and community-based employment planning support service to better inform an individual seeking an individualized job in an integrated employment setting; that includes a series of work or volunteer related activities to inform about the strengths, interests, abilities, skills, experiences and support needs of the individual; and to identify the conditions and employment settings in which the individual will be successful. A Discovery Profile is the report generated about these activities.

- 6.5 Employment Path Services – Is an ODDS provided time-limited service to provide learning and work experiences, including volunteer opportunities, for an individual to develop general, non-job-task-specific, strengths and skills that contribute to employability in an individual job in a competitive integrated employment setting in the general workforce.
- 6.6 Job coach services--
- For VR -- means time limited services provided on the job to teach the participant the essential skills necessary to complete required job tasks beyond what is normally provided by the employer.
  - For ODDS -- means support for an individual to maintain an individual job in a competitive integrated employment setting in the general workforce.
- 6.7 Job Development Services – means support for an individual to obtain an individual job in a competitive integrated employment setting in the general workforce, including customized employment.
- 6.8 Job Stabilization -- is the point when the individual and their VR Counselor agree that the employment goal, including hours worked, in the IPE has been reached and that they and the employer agree that the individual is performing adequately on the job. At this point, transition to extended long-term support services funded by an agency other than Oregon Vocational Rehabilitation can begin.
- 6.9 Team (the team) – is composed of an individual receiving services from ODD, VR or both; the legal or designated representative of the individual (as applicable); services coordinator or personal agent; VR counselor; and others chosen by the individual, such as service providers and family members.

## **7. Collaborative Governance Structure and Strategies**

In implementing this MOU, assigned VR and ODDS management and program staff will meet as needed, to plan, monitor, and evaluate the resulting activities. Assignment of management and program staff will be made by VR and ODDS Directors.

The assigned management and program staff will report to program leadership as frequently as needed but at least every six (6) months to review progress, suggest possible changes or innovative strategies related to implementation of the MOU.

In implementing this MOU, assigned staff will consider such principal strategies as:

- Identify and review key policies and procedures that include, but are not limited to such areas as program eligibility and access, individual service planning, and service evaluation;
- Communicating activities, key information, and updates on outcomes with VR and ODDS staff and principal internal and external partners;

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- Implementing training and technical assistance activities;
- Improving or expanding service capacity;
- Conducting case reviews to identify systems issues;
- Developing written materials such as practice guides and procedures;
- Reviewing program and outcome data and sharing that data with VR and ODDS staff and principal internal and external partners.

## **8. General Provisions**

- 8.1 This MOU supersedes and replaces all previous Memoranda of Understanding or Agreements between these two parties regarding the implementation of Oregon's Employment First policy;
- 8.2 The parties agree to revise this document as needed;
- 8.3 The MOU will be formally reviewed every three years;
- 8.4 The MOU may, at any time, be modified or extended by the written consent of both parties;
- 8.5 In the event that a conflict arises between the parties, it is understood that the Administrators of the Offices will attempt to resolve the conflict through negotiation;
- 8.6 Either party may terminate this agreement by giving the other party 30 days of notice. The notice will include the reasons for the request for termination. Termination of the agreement does not relieve the parties of fulfilling their responsibilities under this MOU until the termination date.

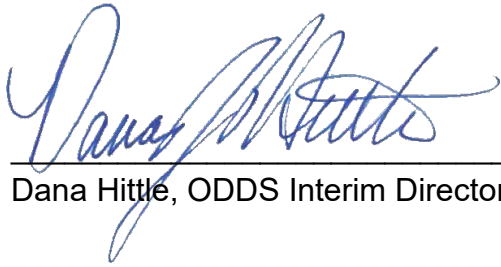
## **9. Process for Resolving Disputes**

If service planning teams (ISP for ODDS or IEP for VR) disagree regarding the agency responsible for funding a service, teams should consult with an ODDS regional employment specialist or the VR field chief. Cases will be triaged.

## **10. Signatures are on Page 8.**

Signature Page for Intra-Agency MOU between Developmental  
Disabilities Services and Vocational Rehabilitation

**For Office of Developmental Disabilities Services:**



Dana Hittle, ODDS Interim Director

June 3, 2025

Date

**For Vocational Rehabilitation:**



Keith S Ozols, VR Director

June 3, 2025

Date