

**COOPERATIVE AGREEMENT BETWEEN  
OREGON DEPARTMENT OF HUMAN SERVICES,  
OREGON COMMISSION FOR THE BLIND, OFFICE OF  
DEVELOPMENTAL DISABILITIES SERVICES, AND  
OREGON DEPARTMENT OF EDUCATION**

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This Agreement is between the Oregon Department of Human Services, Vocational Rehabilitation, hereinafter referred to as "**VR**", the Oregon Department of Education, hereinafter referred to as "**ODE**", the Oregon Commission for the Blind, hereinafter referred to as "**OCB**" and the Office of Developmental Disabilities Services, hereinafter referred to as "**ODDS**".

**I. EFFECTIVE DATE AND DURATION**

This Agreement shall become effective on the date on which all parties have signed the Agreement. Unless terminated or extended, this Agreement shall terminate on **June 30, 2028**.

**II. AUTHORITY OR PARTIES INVOLVED**

Pursuant to ORS 190.110, state agencies may cooperate with each other in performing duties imposed on them. Under 34CFR§I00.34, 34 CFR§300.600 and ORD 343.041, ODE has been charged with the responsibility to provide general supervision and ensure a free and appropriate public education to all students who are eligible for special education. Under 34 CFR§361.1-385.44, VR and OCB has been charged with the responsibility to provide vocational rehabilitation services to persons with disabilities including eligible school-aged students with disabilities. Per 34 CFR§361.22(c), 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 that are necessary for ensuring a free appropriate public education (FAPE) to children with disabilities.

**III. DEFINITIONS**

1. **Competitive Integrated Employment**, consistent with the federal Workforce Innovation and Opportunity Act, and 34 CFR 361.5(c)(9) means work that:

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

(i) 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;

(ii) 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

(iii) 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

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

(b) Is at a location—

(i) Typically found in the community; and

(ii) 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

(c) 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.

2. **District and School District** means public school districts and ESDs, as defined in ORS 190.
3. **Free and Appropriate Public Education or FAPE** has the meaning set forth in the Code of Federal Regulations, Title 34: Education, Section 300.17.
4. **Individuals with Disabilities Education Improvement Act of 2004** or IDEA means the federal law that requires the provision of special education and related services to eligible students with disabilities. The IDEA §300.43(a)(1) defines transition services as a coordinated set of activities focused on improving the academic and functional achievement of students. This set of activities is designed within a results-oriented process that promotes movement from school to post-school activities including:
  - a. postsecondary education
  - b. vocational education
  - c. competitive integrated employment
  - d. supported employment
  - e. continuing and adult education,
  - f. adult services,
  - g. independent living, and
  - h. community participation.
5. **Local Education Agency (LEA)** means a public board of education or other public authority legally constituted within the State for either administrative control or direction of, or to perform a service function for, public elementary schools or secondary schools in a city, county, township, school district, or other political subdivision of the State, or for a

combination of school districts or counties that is recognized in the State as an administrative agency for its public elementary schools or secondary schools.

6. **Individualized Education Program** or IEP has the meaning set forth in OAR Chapter 581 (Oregon Department of Education), Division 15 (Special Education), as amended.
7. **Individualized Plan for Employment** or IPE has the meaning set forth in OAR 582-070-0043, as amended.
8. **NTACT:C** (National Technical Assistance Center on Transition-Collaborative) National Technical Assistance Center on Transition: The Collaborative (NTACT:C) is a Technical Assistance Center co-funded by the U.S. Department of Education's Office of Special Education Programs (OSEP) and the Rehabilitation Services Administration (RSA). That provide information, tools, and supports to build state agencies capacity in delivering effective services and instruction for secondary students and out of school youth with disabilities.
9. **OAR** means Oregon Administrative Rules.
10. **OCB** means **The Oregon Commission for the Blind**, the agency responsible for providing services to Oregon's citizens who experience vision loss and need specialized training and support to live full and productive lives.
11. **ODDS** means the Oregon Department of Human Services, Office of Developmental Disabilities Services, the state agency responsible for administering Medicaid-funded Home and Community-Based Services for Oregonians with intellectual and developmental disabilities.
12. **ODE** means the **Oregon Department of Education**, the state agency responsible for overseeing Oregon's elementary and secondary public schools and education service districts, public preschool programs, regional programs for children with disabilities and education programs in Oregon youth corrections facilities.
13. **Oregon Tribal Vocational Rehabilitation Program** or **TVR** is under the under the federal Title 1 Rehabilitation Act as amended 1973. The purpose of this program is to assist tribal governments to develop or to increase their capacity to provide a program of vocational rehabilitation services, in a culturally relevant manner, to American Indians with disabilities residing on or near federal or state reservations. The program's goal is to enable these individuals, consistent with their individual strengths, resources, priorities, concerns, abilities, capabilities, and informed choice, to prepare for and engage in gainful employment. Program services are provided under an individualized plan for employment and may include native healing services.  
  
Eligibility is different for each TVR program. More information about the TVRs can be found here: <https://www.oregon.gov/odhs/tribal-affairs/pages/default.aspx>
14. **Pre-Employment Transition Services** 34 CFR §§ 361.48(a) and 361.48(b)(18) or **Pre-ETS** means the required activities that VR and OCB shall provide, or arrange for the provision of, for students with disabilities between 14 and 21 years of age who request such services who are eligible or potentially eligible for VR services. Pre-ETS are an individual service. The following activities are the required Pre-ETS:
  - a. Job exploration counseling;

- b. Work-based learning experiences, which may include in-school or after school opportunities, or experience outside the traditional school setting (including internships), that is provided in an integrated environment to the maximum extent possible;
- c. Counseling on opportunities for enrollment in comprehensive transition or postsecondary educational programs at institutions of higher education;
- d. Workplace readiness training to develop social skills and independent living; and
- e. Instruction in self-advocacy.

15. **Rehabilitation Act of 1973**, as amended or **Rehab Act** means the federal law that provides for the provision of vocational rehabilitation and related services to eligible individuals with disabilities, and governs and guides the services provided by state vocational rehabilitation units, including VR and OCB.

16. **Transition Technical Assistance Network** or **TTAN** is comprised of a number of individuals from the partner agencies working together to provide transition services aligned with the outcomes, goals, and activities of the Oregon NTACT-C state plan. The TTAN provides a range of services, including pre-employment transition services (Pre-ETs) and technical assistance primarily aimed towards transition-aged students with disabilities. This could include services to students as well as technical assistance for teachers, administrators, and other program staff and service providers.

17. **Vocational Rehabilitation** or **VR** means the Oregon Department of Human Services program responsible for carrying out the responsibilities specified in 34 CFR § 361.48(b)(18), and Oregon Revised Statutes (ORS) 344.510- 344.690.

18. **Vocational Rehabilitation Counselor** or **VRC** means a professional vocational rehabilitation counselor in the employ of VR or OCB.

19. **Workforce Innovation and Opportunity Act** or **WIOA** supersedes the Workforce Investment Act of 1998 and amends the Adult Education and Family Literacy Act, the Wagner-Peyser Act, and the Rehabilitation Act of 1973.

#### IV. SCOPE AND PURPOSE

The purpose of this cooperative agreement is to set forth the commitments of the ODE, ODDS, VR, and OCB to cooperate in activities leading to a successful transition for students with disabilities from a free and appropriate public education to postsecondary career-related training and employment activities. This agreement also recognizes that TVR programs provide services to American Indian Alaska Native students in the TVR's service- delivery areas.

The agreement includes the commitment to serve as a mechanism for VR, OCB, ODDS, the SEAs and, as appropriate, local education agencies (LEAs) to clearly specify the plans, policies, and procedures for coordinating services to facilitate the transition of students with disabilities, including at a minimum:

- Pre-employment transition services;
- Consultation and technical assistance to assist educational agencies in planning for the transition of students (*Rehabilitation Act*);
- Transition planning by educational personnel and vocational rehabilitation that facilitates the development and implementation of a student's individualized education program (IEP, IPE, ISP, and other employment service planning documents) (*Rehabilitation Act, IDEA*);

- Roles and responsibilities of each agency which do not diminish the LEAs responsibility to ensure FAPE;
- Outreach to and identification of students with disabilities in need of transition services and pre-employment transition services (*Rehabilitation Act*), including a process and the responsibilities of LEAs in facilitating referrals of students with disabilities to VR (*IDEA*) and ODDS;
- Coordination to satisfy the documentation requirements set forth in section 511 of the Rehabilitation Act with regard to students with disabilities who are seeking subminimum wage employment (*Rehabilitation Act*); as of 07/01/2023, Oregon prohibits use of subminimum wage.
- Conditions, terms and procedures for reimbursement to LEAs by other agencies (*IDEA*) if applicable;
- Procedures for resolving interagency disputes under the agreement, including procedures for LEAs to initiate the process (*IDEA*); and an
- Assurance that neither the SEA nor the LEA will enter into an arrangement with an entity holding a special wage certificate under section 14(c) of the Fair Labor Standards Act for the purpose of operating a program under which a youth with a disability is engaged in work at a subminimum wage. Transition services and pre-employment services will not occur in settings where subminimum wages are paid under a 14c certificate (*Rehabilitation Act, Oregon Revised Statutes 653.033*);
- Coordination to ensure individuals with Intellectual and Developmental Disabilities have access to job coaching and other long term supports that may be needed for employment and career advancement.

## **V. CONFIDENTIALITY ASSURANCES**

This Agreement requires the sharing of information, including required documentation and data between VR, ODE, ODDS, and OCB. Information about clients of ODDS, VR and OCB, and students from LEAs will be released in conformance with regulations governing confidentiality of personally identifiable information.

Please reference the Data Exchange and Use Agreement #144993 for further information about the specifics of data sharing among the agencies regarding transition services.

## **VI. CONSTRUCTION CLAUSE**

Nothing under Title I of the Rehabilitation Act shall be construed as reducing an LEAs 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 students with disabilities. Additionally, Title XIX of the Social Security Act, 42 U.S.C. §§ 1396n(c)(5)(C)(i)-(ii) and 42 CFR 440.108(c)(3)(i)-(ii), prohibits ODDS from funding services available through the LEA or VR.

However, when multiple agencies are responsible for delivering the same service, then the responsibility may be assigned under State law, policy, or interagency agreement. See 34 CFR 361.53. Seeking comparable services benefits through other responsible agencies must occur unless it would delay the progress of the individual toward achieving the employment outcome or an immediate job placement. 34 C.F.R. 361.53(a).

## **VII. RESPONSIBILITIES OF ALL PARTIES**

VR, ODE, ODDS and OCB mutually agree to the following:

1. To meet regularly to address systems, policy, practice and funding issues that facilitate or negatively impact the transition of youth with disabilities from school to work or post-secondary education.
2. To foster innovation in transition program design and service delivery strategies between VR, OCB, ODDS and LEA.
3. To utilize a common message when sharing information to local VR, OCB, DD offices and LEA's.
4. To post this agreement on their respective websites (or in a location readily available to agency staff).
5. To align policy and practice at the state and local level, in order to facilitate the seamless transition of youth with disabilities from school to work or postsecondary education; minimize redundant services; and maximize resources in both systems.
6. To develop and provide common trainings and professional development opportunities to improve transition and employment results.
7. To provide or post a copy of this Agreement to the agency websites as a public document.
8. To mutually develop and distribute notices, memorandums, and other information regarding transition to agency and community partners.
9. To give timely notice to agency and community partners of all proposed changes to rule or policy that relate to youth transition.
10. To collaborate toward meeting the unique needs of LEAs, VR, OCB, and DD offices, and facilitate seamless transition for students with disabilities from a FAPE to the provision of vocational rehabilitation services.
11. To assign qualified staff positions to facilitate and support linkages among transition activities and outcomes provided by LEAs, VR, ODDS, and OCB.
12. To identify criteria for determining and assigning the financial and programmatic roles and responsibilities of each agency for the provision of pre-employment transition services and transition services to students with disabilities. The criteria may include:
  - a. Purpose of the service;
  - b. Customary service; and
  - c. Eligibility for services
13. To establish a grievance procedure to resolve disputes between VR, OCB, SEA, LEA, or ODDS, as appropriate, as well as procedures to resolve disputes between an individual with a disability and the entities specified above, and information about the Client Assistance Program.

## **VIII. PLANNING FOR TRANSITION SERVICES**

VR and OCB will:

1. Attend meetings for the development of an Individualized Education Plan (IEP) when given timely notice of invitation, with appropriate consent and as resources allow.
2. Provide information on Pre-ETS to the SEA and LEA to distribute to students, family members, guardians or their representatives.
3. Determine the eligibility status of all students with disabilities who have applied for Vocational Rehabilitation services within 60 days from the date of application pursuant to section 102(a)(6) of the Rehabilitation Act and section 34 CFR 361.41(b)(1) of its implementing regulations.
4. Develop an Individualized Plan for Employment (IPE), which is consistent with and which takes into consideration the student-client's ISP and IEP transition planning goals, prior to exit and within 90 days of VR/OCB eligibility, unless an extension is approved.
5. If a student is a federally recognized Native American Alaska Native student, VR will inform and

refer students to TVR in the identified service-delivery area to access culturally relevant services so the student can make an informed choice about the services that they are eligible for and can receive. VR will also inform the student that the student can work with VR and TVR.

ODE will:

1. Provide for transition planning by designating education agency personnel for students with disabilities that facilitates the development and implementation of their Individualized Education Programs (IEPs) under section 614(d) of IDEA.
2. Each IEP for a transitioning student is based on the individual child's needs, taking into account the child's strengths, preferences, and interests; and includes
  - a. Instruction;
  - b. Related services;
  - c. Community experiences;
  - d. The development of employment and other post-school adult living objectives; and
  - e. If appropriate, acquisition of daily living skills and provision of a functional vocational evaluation.
3. Provide information and referrals regarding VR and ODDS services.
4. Develop an IEP which is consistent with and which aligns with the student-client's IPE with VR and OCB or ISP with ODDS.

ODDS will:

1. Attend meetings for the development of an Individualized Education Plan (IEP) or IPE when given timely notice of invitation, with appropriate consent and as resources allow.
2. Provide information on ODDS employment and other services to distribute to students, family members, or their representatives.
3. Determine the eligibility of all students with disabilities who have applied for ODDS services within a timely manner.
4. Develop an Individual Support Plan (ISP), which is consistent with and which takes into consideration the student-client's IPE and IEP transition planning goals.

## **IX. LEAD AGENCIES**

ODE, ODDS, VR, and OCB will be the lead State agencies for the transition of youth who qualify for special education and/or 504 services and who are eligible, or potentially eligible, for ODDS, VR and/or OCB services. ODE, ODDS, VR, and OCB will be the State lead agencies that outline the roles and responsibilities for qualified personnel responsible for transition services within their respective agencies.

While VR, ODE, ODDS and OCB will operate as the lead agencies in these areas, they acknowledge that transition service for tribal youth with disabilities requires close coordination with the individual tribes. VR, ODE, ODDS, and OCB will work with individual tribes to coordinate transition services and when appropriate will independently offer MOU's with each of the Tribal VR and education programs in the state to assist in this coordination of these transition services.

## **X. FINANCIAL RESPONSIBILITIES OF EACH PARTY**

This Agreement does not involve any financial compensation or exchange of funds between or from

ODE, VR, ODDS or OCB. Any agreements that do involve the exchange or blending of funds will be done through other agreements separate and apart from this agreement.

## **XI. RESPONSIBILITY OF THE PARTIES FOR DELIVERY OF TRANSITION SERVICES**

1. Through the appointed Director (or designee), assure a biennial review of the outcomes and effectiveness of this Agreement and make recommendations, policy changes, training activities, and modifications to this Agreement. Upon request, provide information to the VR State Rehabilitation Council to assist in the development of the Council's annual report to the Governor.
2. In collaboration with ODE, VR and OCB will provide, when appropriate, in-service training available to LEA staff, VR staff, OCB staff and TVR Programs around topics or issues that are designed to improve the effectiveness of transition services and employment outcomes for students with disabilities. ODDS will provide, when appropriate, in-service training available to LEA staff, VR staff, OCB staff, and TVR Programs, around topics or issues that are designed to improve the effectiveness of transition services and employment outcomes for students with intellectual and developmental disabilities.
3. LEAs will be responsible under IDEA for the development of the IEP, including appropriate "transition services" and associated costs and other IEP-related services that are not generally available to all students through VR and OCB services, or ODDS services.
4. VR and OCB will be responsible for the development of the IPE including transition services that are not generally available to all students through the LEA. If the student is a federally recognized Native American Alaska Native student, VR and OCB will partner with the TVR in the identified service-delivery area to provide culturally relevant services.
5. VR and OCB services are available to applicants to the degree needed to establish eligibility, and for eligible individuals to determine the scope and nature of services and then the provision of those services. While VR and OCB bear primary financial responsibility for these services, VR and OCB will utilize comparable benefits when it will not impede the progress of IPE activities. If the student is a federally recognized Native American Alaska Native student, VR and OCB will partner with the TVR in the identified service delivery area to provide culturally relevant services.
6. ODDS will bear financial responsibility for eligible individuals when the service is not available under Vocational Rehabilitation and Other Services, 29 U.S.C. § 701-796l, as amended, or under the Individuals with Disabilities Education Act, 20 U.S.C §1400, as amended.
7. Jointly coordinate activities of the Transition Technical Assistance Network (TTAN).
8. Expand collaborative partnerships as needed, such as
  - a. Centers for Independent Living,
  - b. The Oregon Health Authority,
  - c. Addictions and mental health organizations,
  - d. Parent advocacy organizations,
  - e. Local Workforce Investment Boards,
  - f. Universities and community colleges, and
  - g. Other community-based organizations.
9. Cultural responsiveness is essential for an equitable partnership. By embedding practices such as cultural humility, inclusive language, and diverse representation into this Memorandum of Understanding, each agency commits to promoting understanding, empathy, and open communication among individuals and communities from diverse cultural backgrounds. This enables the agencies to effectively address the distinct needs, challenges, and opportunities stemming from our cultural diversity. In doing so, the agencies strive to create a foundation for success and growth that benefits all participants and enriches collective experiences. Through a culturally responsive partnership, the agencies build trust, uncover innovative solutions, achieve excellence, and advance equity for everyone, including indigenous populations and other

historically marginalized groups.

**VR and OCB shall:**

1. Promote outreach to and identification of students with disabilities who are in need of transition services or transition planning (including Pre-ETS) beginning as early as 14 years old. Outreach to these students will include, at a minimum, a description of the purpose of the vocational rehabilitation program, eligibility requirements, application procedures, and scope of services that may be provided to potentially eligible and eligible individuals. Outreach activities can include the use of brochures, social media, attendance at back-to-school nights, group orientations, and transition events. Agencies will obtain, when necessary, a release of information from parent or guardian to assist in coordinating services.
2. Inform ODE of policies or procedural changes that may impact the eligibility of students with disabilities for VR and OCB services and the provision of services, so that ODE can disseminate such material to LEAs and the State Directors of Special Education.
3. VR and OCB will inform and refer students to TVR in the identified service delivery area to receive culturally relevant services so the student can make an informed choice about the services that they are eligible for and can receive. VR and OCB will inform eligible students that they have the choice to work with VR, TVR, or OCB separately or collectively.
4. Upon request from the LEA or ODE, provide technical assistance on how VR identifies potentially eligible students for services from VR/OCB and how to work with VR/OCB in the provision of transition services including pre-employment transition services.
5. Determine eligibility for VR/OCB services and provide vocational rehabilitation services to eligible school-aged students with disabilities when referred by the LEAs.
6. Upon request, work with ODE, ODDS and other agencies through a variety of training activities to identify and plan transition strategies for students with disabilities requiring long-term support after VR/OCB time-limited services.
7. Inform LEAs, students and their parents of the availability of the Client Assistance Program, a dispute resolution program available to VR/OCB clients and participants in rehabilitation programs receiving federal funding.
8. Provide training to all VR Counselors and qualified staff on their role in providing outreach activities to students with disabilities to include those served in special education, served under Section 504, and those served in general education. Disseminate information regarding relevant training and workshops to ODE Staff.
9. Provide consultation & technical assistance, using alternate means for participation when necessary (i.e. video or conference calls) to the schools to prepare students with disabilities for career opportunities.
10. Upon request, participate in transition planning with schools to facilitate the development of IEPs for students with disabilities.
11. Assure that IEPs are developed for students within 90 days of being determined eligible for vocational rehabilitation services.
12. Encourage VR/OCB office staff to collaborate in local community planning and implementation efforts that are focused on the transition of students with disabilities from school to postsecondary outcomes.
13. VR/OCB shall provide one assigned VRC to serve as point of contact for each LEA around the state.
14. Upon request, provide information to the ODE State Advisory Council on Special Education to assist in the development of the Council's annual report to the Superintendent of Public Instruction.

**ODE shall:**

1. Support LEAs in carrying out special education obligations.
2. Ensure TTAN remains informed by VR/OCB of services provided in order to share with LEAs the vocational rehabilitation options and processes for students and families.
3. Provide representation on the VR State Rehabilitation Council and relevant committee participation.
4. Assign Support Staff to facilitate linkages between LEAs, ODDS, VR, OCB, and TVR:
  - a. Establish and disseminate a procedure for LEA release of student information to VR/OCB/TVR/ODDS.
  - b. Upon request, work with VR/OCB/TVR/ODDS and other agencies through a variety of training activities to plan and identify transition strategies for students with disabilities requiring long-term support after completion of VR/OCB time-limited services.
  - c. Work with LEAs in the development of IEP Transition Plans required by IDEA that demonstrate a coordinated set of activities that create a seamless transition in services for students as they move to career-related activities developed by VR/OCB/TVR in an IPE.
5. Direct LEAs to coordinate with identified points of contact for VR/OCB staff.
6. Disseminate information regarding relevant training and workshops to VR/OCB/ODDS Training Staff.
7. Encourage LEAs to collaborate in local community planning and implementation efforts that are focused on the transition of students with disabilities from school to post-secondary outcomes.
8. On request, provide information to VR/OCB/TVR/ODDS about eliminating mock sheltered workshops and vocational training programs in public education programs, approved private education, programs, and accredited postsecondary schools that are subject to ODE standards.

**ODDS shall:**

1. Promote outreach to and identification of students with intellectual and developmental disabilities who are in need of long-term services and supports.
2. Inform ODE of policies or procedural changes that may impact the eligibility of students with intellectual and developmental disabilities for ODDS services and the provision of services, so that ODE can disseminate such material to LEAs and the State Directors of Special Education.
3. Upon request from the LEA or ODE, provide technical assistance on how to identify potentially eligible students for services from ODDS and how to work with ODDS to provide transition services.
4. Determine eligibility for ODDS services and provide available ODDS to eligible school-aged students with intellectual and developmental when referred by the LEAs.
5. Upon request, work with ODE/VR/OCB and other agencies through a variety of training activities to identify and plan transition strategies for students with intellectual and developmental requiring long-term support after VR/OCB time-limited services.
6. Provide training to DD Case Management Entities on their role in providing outreach activities to include those served in special education, and their role with regards to collaboration with schools and VR regarding employment services.
7. Provide consultation & technical assistance, using alternate means for participation when necessary (i.e. video or conference calls) to the schools to prepare students with intellectual and developmental for career opportunities.
8. Upon request, participate in transition planning with schools to facilitate the development of ISPs for students with disabilities.
9. Assure that ISPs are developed for students eligible for ODDS services.

10. Encourage ODDS office staff to collaborate in local community planning and implementation efforts that are focused on the transition of students with disabilities from school to postsecondary outcomes.
11. Make available a regionally-based technical assistance liaison regarding ODDS and employment services.
12. Upon request, provide information to the ODE State Advisory Council on Special Education to assist in the development of the Council's annual report to the Superintendent of Public Instruction.

## **XI. RESOLUTION OF DISPUTES ARISING FROM THIS AGREEMENT**

1. ODE, VR, ODDS and OCB agree that unresolved disputes that arise between them including disputes over the development of recommended procedures, access to and availability of services, and allocation of financial responsibility, will first be brought to mediation. The first step of mediation will be through the Governor's Dispute Resolution office. Other mediators may be selected by mutual agreement from a list of mediators maintained by ODE, VR, OCB, ODDS, or the Department of Justice. The mediator's fee shall be shared equally between ODE, VR, ODDS and/or OCB.
2. If mediation is unsuccessful in resolving the dispute, the parties shall appoint a dispute panel to hear the position of each party and make a final determination. The dispute panel will be comprised of an individual selected by ODE, an individual selected by VR, an individual selected by OCB, and individual selected by ODDS, and an individual selected mutually by the parties.
3. The dispute resolution procedures in the Agreement do not affect or diminish the procedural safeguards available to parents of children with disabilities under the IDEA or clients of VR/OCB under the Rehabilitation Act.

## **XII. AMENDMENTS**

On written request from either party, changes in this Agreement or subsequent attachments will be discussed and such changes or attachments as are agreed upon in writing will become part of this agreement. The terms of this Agreement shall not be waived, altered, modified, supplemented, or amended in any manner whatsoever, except by a written instrument signed by the parties.

## **XIII. TERMINATION**

Upon thirty (30) days written notice, either party may terminate this MOU at any time.

## **XIV. WRITTEN NOTICES**

All notices regarding this Agreement shall be sent to the parties at the following addresses:

VR: Keith Ozols  
Department of Human Services  
Vocational Rehabilitation Director  
Vocational Rehabilitation  
500 Summer Street NE, E-87  
Salem, OR 97301-1120

ODE: Tenneal Wetherell  
Oregon Department of Education Assistant Superintendent

Office of Student Services  
255 Capitol Street NE  
Salem, OR 97310

OCB: Dacia Johnson  
Executive Director  
Oregon Commission for the Blind  
535 SE 12<sup>th</sup> Ave  
Portland, OR 97214

ODDS: Acacia McGuire Anderson  
Department of Human Services  
Oregon Office of Developmental Disabilities Services  
500 Summer Street NE  
Salem, OR 97301-1120

## XV. SIGNATURES

This Agreement is executed on behalf of ODE, ODDS, VR, and OCB through the undersigned representatives on the dates indicated after their signatures.

**STATE OF OREGON, acting by and through the Department of Education,**

By: Philip Hofmann Date: September 28, 2023  
~~Assistant Superintendent~~ Philip Hofmann  
~~Assistant Superintendent~~ Deputy Director of Procurement  
Oregon Department of Education

**STATE OF OREGON, acting by and through the Department of Human Services,  
Vocational Rehabilitation:**

By:  Date: 9/22/2023  
Keith Ozols  
Vocational Rehabilitation Director  
Department of Human Services

**STATE OF OREGON, acting by and through the Oregon Commission for the Blind:**

By:  Date: 9/22/2023  
Dacia Johnson  
Executive Director  
Oregon Commission for the Blind

ODDS

**STATE OF OREGON, acting by and through the Department of Human Services, Oregon Office of  
Developmental Disabilities Services:**

By:  Date: 10/10/2023  
Acacia McGuire Anderson  
Statewide Employment First Coordinator  
Oregon Office of Developmental Disabilities Services