

**MISSISSIPPI DEPARTMENT OF REHABILITATION SERVICES  
OFFICE OF VOCATIONAL REHABILITATION  
AGREEMENT OF COOPERATION  
For  
TRANSITION SERVICES**

- I. Parties. This Agreement is entered into by the Mississippi Department of Rehabilitation Services/Office of Vocational Rehabilitation (hereinafter “MDRS/OVR”) and Tupelo Public School District (hereinafter “School District”).
- II. Purpose. The purpose of this Agreement is to describe the terms under which MDRS/OVR and Mississippi Department of Education (MDE), through the Local School Districts, will collaborate on planning for the provision of seamless services to students with disabilities who are in transition from Secondary School to subsequent environments. This Agreement is intended to be an extension of the Interagency Agreement between MDRS/OVR and Mississippi Department of Education (MDE).
- III. Period of Performance. This Agreement shall become effective for the period beginning July 1, 2018 and ending June 30, 2019, upon the approval and signature of the parties hereto.
- IV. Modification or Amendment. This Agreement may be modified only by written agreement signed by the parties hereto. The parties agree to renegotiate the agreement if federal and/or state revisions of any applicable laws or regulations make changes in this agreement necessary.
- V. Applicable Law. The Agreement shall be governed by and construed in accordance with the laws of the State of Mississippi, excluding its conflicts of laws, provisions, and any litigation with respect thereto shall be brought in the courts of the State. School District shall comply with applicable federal, state, and local laws and regulations.
- VI. Compliance with Laws. School District understands that the Mississippi Department of Rehabilitation Services/Office of Vocational Rehabilitation is an equal opportunity employer and therefore, maintains a policy which prohibits unlawful discrimination based on race, color, creed, sex, age, national origin, physical handicap, disability, genetic information, or any other consideration made unlawful by federal, state, or local laws. All such discrimination is unlawful and School District agrees during the term of the agreement that School District will strictly adhere to this policy in its employment practices and provision of services. School District shall comply with, and all activities under this agreement shall be subject to, all applicable federal, State of Mississippi, and local laws and regulations, as now existing and as may be amended or modified.
- VII. Indemnification. School District’s tort liability, as an entity of the State of Mississippi, is determined and controlled in accordance with Mississippi Code Annotated §§ 11-46-1 et seq. (1972, as amended), including all defenses and exceptions contained therein. Nothing in this agreement shall have the effect of changing or altering this liability or of eliminating any defense available to the State under statute.
- VIII. Funding. This Agreement insures that there are no other comparable benefits available to the referred students for needed services, and without MDRS/OVR sponsorship, there are no funds

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available through the school district's resources (including application for grant funding) for the provision of services agreed upon between the school district and the Counselor.

- IX. Scope of Services. In addition to the individual responsibilities set forth in Exhibit "A", captioned "Procedures and Services", which is attached hereto and made a part hereof by reference, both parties agree to the following:
- A. Jointly plan services with students and their families that will insure a smooth transition from school to work. This will include career exploration for possible vocational goals, explanation of services, consultation and technical assistance needed for the provision of transition services.
  - B. Insure that youth with a disability who are eligible under federal and state laws are provided transition services without unnecessary delay. The school district will make space available for the Counselor to meet with youth with disabilities (and parents/guardians), beginning at the age of 14 to provide Outreach services specifically designed for youth.
  - C. Make space available for the Counselor to meet with students with disabilities (and parent/guardians), beginning at age 14 to engage in pre-employment transition services (Pre-ETS) for those students who have been identified as potentially eligible by the VR counselor, and/or for OVR/OVRB services, when students are within two years of exiting high school or earlier when additional VR services are needed and requested by the student and parents/legal guardians. OVR/OVRB services, as determined appropriate in a joint process by the Counselor, student and/or legal guardian, will be offered to all students who are determined eligible. The Counselor will offer a vocational evaluation to all students in application status. The School District will provide services for each student as determined appropriate by the School District. It is also agreed that there are no other comparable benefits available to the referred students for needed services, and without MDRS/OVR sponsorship, there are no funds available through the school district's resources for the provision of services agreed upon between the school district and the Counselor.
  - D. Obtain parental consent to provide access to students'/clients' records including psychological evaluations, testing and medical information and any other relevant confidential information such as the Individualized Educational Program (IEP), 504 Plan, and the Individualized Plan for Employment (IPE).
  - E. Share information about upcoming IEP, 504 Plan, and IPE meetings, provide access to and attend such meetings for students with disabilities when appropriate.
  - F. Protect the confidentiality of records in accordance with Family Rights and Privacy Act and the Confidentiality Section as described in the current State Plans for MDRS/OVR and MS Department of Education.
  - G. Solicit and support the involvement of parents, family members, guardians and advocates.
  - H. Promote the establishment and involvement of a local Transition Planning Committee.

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- I. Resolve problems through interagency discussions and meetings involving state level consultants from both agencies when appropriate.
- X. Annual Review. This Agreement of Cooperation will be reviewed by both parties annually and amended as needed.
- XI. Notices. All notices required or permitted to be given under this agreement must be in writing and personally delivered or sent by certified United States mail, postage prepaid, return receipt requested, to the party to whom the notice should be given at the address set forth below. Notice shall be deemed given when actually received or when refused. The parties agree to promptly notify each other in writing of any change of address.
- MDRS: Chris M. Howard, Executive Director  
Mississippi Department of Rehabilitation Services  
Post Office Box 1698  
Jackson, Mississippi 39215-1698
- Laurie Sherrill, OVR Program Specialist  
Mississippi Department of Rehabilitation Services  
Office of Vocational Rehabilitation  
Post Office Box 1698  
Jackson, Mississippi 39215-1698
- School District: (Dr. Rob Picou), Superintendent  
(Tupelo Public School District)  
(72 South Green Street)  
(Tupelo), Mississippi (38801)
- XII. Entire Agreement. This Contract constitutes the entire agreement of the parties with respect to the subject matter contained herein and supersedes and replaces any and all prior negotiations, understandings and agreements, written or oral, between the parties relating thereto.

In witness whereof, the parties hereto have affixed, on duplicate originals, their signatures on the date indicated below, after first being authorized so to do.

MISSISSIPPI DEPARTMENT OF REHABILITATION SERVICES/OFFICE OF VOCATIONAL REHABILITATION

By: \_\_\_\_\_  
Chris M. Howard, Executive Director

Date: \_\_\_\_\_

(Tupelo Public School District)

By: \_\_\_\_\_  
(Dr. Rob Picou), Superintendent

Date: \_\_\_\_\_

**EXHIBIT “A”**

**PROCEDURES AND SERVICES**

In addition to the joint responsibilities set forth in Section IX of the Agreement, both parties agree to the following procedures and individual responsibilities.

**I. Responsibilities of MDRS/OVR.**

- A. OVR/OVRB shall provide a liaison Transition Counselor to each School District.
- B. MDRS/OVR shall reserve at least 15% of their Federal allotment to provide and arrange for, in coordination with local education agencies, the provision of Pre-ETS to students with disabilities who are eligible or potentially eligible regardless of the type of disability in accordance with Section 361.48(a). These services shall include job exploration counseling, work-based learning experiences, counseling on postsecondary opportunities or comprehensive transition services, workplace readiness training, and instruction in self-advocacy.
- C. OVR/OVRB shall maintain our interpretation of “potentially eligible”, for the purpose of Pre-ETS, as meaning all students with disabilities, regardless of whether they have applied for or have been determined eligible for the OVR/OVRB program, as described in Section 361.48(a)(1).
- D. The Transition Counselor shall, beginning at age 14, provide Outreach services to discuss opportunities specifically designed for youth with disabilities who are eligible or potentially eligible for OVR/OVRB services.
- E. OVR/OVRB shall provide pre-employment transition services (Pre-ETS) to students with disabilities who are eligible or potentially eligible beginning at age 14. At least two years from exiting high school or earlier when additional services are needed and requested by the student and parents/legal guardians, OVR/OVRB shall establish eligibility and provide planned services to students with disabilities.

**II. Responsibilities of School District.**

- A. The School District shall make space available for the Counselor to meet with youth with disabilities (and parents/guardians), beginning at the age of 14 to provide Transition Outreach services.
- B. The School District shall make space available for the Counselor to meet with students with disabilities who are eligible or potentially eligible beginning at age 14 to provide Pre-ETS, and/or for students who are two years from exiting high school or earlier when requested to take an application.
- C. After obtaining parental consent, the School District shall provide access to students’ records including all psychological evaluation results (i.e. I.Q. scores, adaptive

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behavior scores, etc.), testing and medical information and any other relevant confidential information such as the Individualized Educational Program (IEP) and 504 Plan for the current school year, the Teacher Checklist: Observation of Student, and the student's Social Security number.

- D. The School District shall share information with the OVR Counselor about upcoming IEP meetings, 504 Plan meetings, provide access to and attend such meetings for students with disabilities when appropriate.
- E. The School District shall request and promote the involvement of parents, family members, guardians and advocates.
- F. The School District shall not contract with an agency or organization that holds a special wage certificate under Section 14(c) of the Fair Labor Standard Act for the purpose of paying students less than minimum wages.
- G. The School District will provide documentation to the OVR Counselor of its provision of transition services for any and all students exiting the local school district who may be interested in seeking subminimum wage employment as required by Section 511 and 397.30(b)(1) of the Rehabilitation Act of 1973 as amended by WIOA. This information should include at minimum:
- Youth's name;
  - Description of the services or activity completed;
  - Name of the provider of the required service or activity;
  - Date required service or activity completed;
  - Signature of educational personnel documenting completion of the required service or activity;
  - Date of signature;
  - Signature of educational personnel transmitting documentation to the designated State unit; and
  - Date and method (e.g., hand-delivered, faxed, mailed, emailed, etc.) by which document was transmitted to the designated State unit.
- H. If a student with a disability or, as applicable, the student's parent or guardian refuses through informed choice to participate in the activities required by Section 511, then the School District must provide documentation as required by 397.30(b)(2). This information should include at minimum:
- Youth's name;
  - Description of the refusal and the reason for such refusal;
  - Signature of the youth or, as applicable, the youth's parent or guardian;
  - Signature of the educational personnel documenting the youth's refusal;
  - Date of signatures;
  - Signature of educational personnel transmitting documentation of the refusal to the designated State unit; and
  - Date and method (e.g., hand- delivered, faxed, mailed, emailed, etc.) by which documentation was transmitted to the youth.

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- The educational personnel must transmit the documentation required to the designated State unit as soon as possible upon completion of each of the required action, but no later than 30 calendar days after the completion of the required activity or service.

III. Procedures.

- A. *Referral Process.* The local School District Coordinator (or designated person) will provide referral information on youth with disabilities who are eligible or potentially eligible to participate in Pre -ETS activities. The referral information should include the student's name, address, phone number, date of birth, race, ethnicity, social security number (if available), documentation of disability, and parent or guardian's consent.

The local School District Coordinator (or designated person) will provide information, including the assessment team report and the vocational assessment report, to the OVR Counselor on students with disabilities, prior to the student's final two years of school to facilitate the application process. This may take place during the spring semester of sophomore year, over the summer break, or at the start of the fall semester of the junior year of school. Referrals should not be made on students who are current participants in the MDRS/OVR Transition and Youth Career Services program or students who have previously been referred. However, a student who is not participating in the MDRS/OVR program may be referred a second time if his/her circumstances have changed. Students who transfer to a district should be referred at the time of transfer, if they meet the requirements.

- B. *Joint Development of IEPs and IPEs.*

1. The student's primary teacher will notify the Counselor of IEP and 504 meetings.
2. The Counselor will inform the student's primary teacher of IPE meetings. The Counselor will also seek participation of all other school personnel who are significantly involved in the student's vocational preparation.
3. The School District Coordinator will provide the Counselor with copies of IEPs, 504 Plans, and other transition related information.
4. The Counselor will provide a copy of the student's vocational assessment and IPE to the School District Coordinator or his/her designee.

- C. *Other Procedures.*

1. If the student attends AbilityWorks while still in school, OVR/OVRB will not be responsible for transportation.
2. The Counselor will collaborate with the School District on individual needs for a student seeking to receive services at a community rehabilitation services program, such as, an AbilityWorks.

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3. The Counselor will coordinate with the School District and AbilityWorks to ensure that services are provided to the student in a timely manner without unnecessary delays or excessive extensions.