

Memorandum of Understanding

State Agencies' Transition Collaborative of Maryland (SATC-MD)

Between

Maryland Department of Disabilities (MDOD),
Maryland State Department of Education (MSDE) Division of Early Intervention and Special
Education Services,
Maryland State Department of Education Division of Rehabilitation Services (DORS),
Maryland State Department of Education Division of Career and College Readiness (DCCR)
Maryland Department of Health, Behavioral Health Administration (BHA),
Maryland Department of Health, Developmental Disabilities Administration (DDA),
and the Maryland Department of Labor (Labor)

- I. **Introduction:** In January 2016, the Maryland State Department of Education submitted an application to be considered for intensive technical assistance from the National Technical Assistance Center on Transition (NTACT). While the application required only two partners, Education and Vocational Rehabilitation, a decision was made, in light of Maryland's long history of broad coordination and collaboration among state partners, to include additional state agency partners. Through a competitive selection process, Maryland was awarded five years of intensive technical assistance to support efforts in improving the state-level coordination of transition services leading to an increase in employment, postsecondary education and community outcomes for all students and youth with disabilities in Maryland. Through NTACT's support, State Agencies' Transition Collaborative of Maryland (SATC-MD) was created to assist Maryland's State Education Agency, Local Education Agencies, State Vocational Rehabilitation (VR), and other key partners to implement evidence-based and promising practices ensuring Maryland students with disabilities, including those with significant disabilities, graduate prepared for success in postsecondary education and employment. SATC-MD focuses on the values and systems alignment needed to support all youth with disabilities and their families to successfully transition from school to community, career and/or college. Maryland requires that transition planning begins at age 14 as part of their Individualized Education plan and continues through school graduation or exit.
- II. **Vision:** Through strong interagency collaboration, all students in Maryland will exit school informed and connected to competitive, integrated employment, community, and/or college.
- III. **Purpose:** The purpose of this Memorandum of Understanding ("MOU") is to:
 - A. Sustain SATC-MD as a working group without federal funding;
 - B. Improve interagency collaboration and coordination of services for transition youth in support of Federal laws including but not limited to the Individuals with Disabilities Education Act (IDEA Work Incentives Improvement Act), Every Student Succeeds Act (ESSA), Work Innovation and Opportunity Act (WIOA), Strengthening Career and Technical Education for the 21st Century Act (Perkins V), and others as well as federal grants as appropriate.

- C. Ensure linkages to community, college and careers that result in community integration and independence, ongoing education and training, employment for youth with disabilities in Maryland.
- IV. Parties:**
- A. Maryland Department of Disabilities (MDOD):** MDOD is charged with coordinating and improving the delivery of services to individuals with disabilities in the state of Maryland by working collaboratively with all State government agencies.
 - B. Maryland State Department of Education (MSDE), Division of Early Intervention and Special Education Services (DEI/SES):** Maryland goes beyond the federal requirements for special education services (IDEA) as a birth mandated state providing services starting at birth and continuing services for students with disabilities through their 21st year. According to Maryland law (COMAR}, every person with an Individualized Education Program (IEP) requires, on an annual basis, the development of specific components related to secondary transition in the IEP document and transition planning through the IEP process NO LATER than 14 years of age. The DEI/SES provides oversight, professional learning, monitoring, in collaboration with transition partners, to implement and document the IEP which includes an effective transition plan to address activities to plan for life after high school and outcomes related to employment, postsecondary education, and community living.
 - C. Maryland State Department of Education (MSDE), Division of Rehabilitation Services (DORS):** DORS is the official State Agency that administers the vocational rehabilitation (VR) program. The VR program provides an array of employed, related services to eligible individuals with the goal of Competitive Integrated Employment, as well as Pre-Employment Transition services to both eligible and potentially eligible Students with Disabilities.
 - D. Maryland State Department of Education (MSDE) Division of Career and College Readiness (DCCR):** DCCR oversees Maryland's system of Career and Technical Education (CTE) at both the secondary and postsecondary levels. Maryland's vision for CTE is that each student has access and opportunity to engage in career programs of study that: 1) Align to high-skill, high-wage, or in-demand careers; 2) Lead to earning industry-recognized and/or postsecondary credentials that will allow entrance or advancement in a specific career cluster; and 3) Provide career-based learning experiences that require the application of academic and technical knowledge and skills in a work setting.
 - E. Maryland Department of Health, Behavioral Health Administration (BHA):** BHA is tasked with developing an integrated process for planning, policy and services to ensure a coordinated quality system of care is available to individuals with behavioral health conditions- (mental health and substance use).
 - F. Maryland Department of Health, Developmental Disabilities Administration (DDA):** DDA administers funding for home and community based services, including employment-related services, for individuals with developmental disabilities under its Medicaid § 1915(c) Waiver programs pursuant to 42 U.S.C. § 1396n(c)
 - G. Maryland Department of Labor (Labor), Division of Workforce Development and Adult Learning:** Implements the federal Workforce Innovation and Opportunity Act (WIOA).

DWDAL provides services to Maryland's Jobseekers, Businesses, Veterans, Adult Learners, Youth and individuals with barriers to employment.

V. Agreement Goals through communication and coordination of efforts at the state and local level:

- A.** Create a system that provides students with disabilities multiple pathways to careers (i.e., leading to Competitive, Integrated Employment, postsecondary education, community) resulting in positive outcomes that all lead to employment; and youth with disabilities who make a successful transition to competitive integrated employment, community, and/or postsecondary education and training.
- B.** Strengthen collaboration and coordination between each party to this agreement when serving students and youth with disabilities so that individuals and their families may experience accessible, seamless, and non-duplicative services;
- C.** Foster innovation in program development across agencies by using researched-based practices;
- D.** Develop and use common communication strategies to share information with stakeholders, with an emphasis on families and youth, about transition services and supports; and
- E.** Establish and maintain at least an annual leadership coordination among parties to better promote communication and ongoing agreement.

VI. Mutual Responsibilities of the Parties:

- A.** Communicate and coordinate regularly with state and local partners and staff regarding efforts to improve the transition of all youth with disabilities in Maryland that result in community, career and/or postsecondary education and training;
- B.** Work collaboratively to ensure integrated post school outcomes in the areas of community, postsecondary education and training and/or careers that pay competitive wages;
- C.** Promote principles of "Charting the Life Course for all students with disabilities*," and "Employment First;"
- D.** Solicit input regarding transition and employment services from both the state and local levels and distribute information and resources through communications channels;
- E.** Develop and provide common training and professional learning opportunities for transition, employment services and other relevant staff across the partner agencies;
- F.** Share responsibility for publication, dissemination, and education of this MOU as well as any other joint publications or communications;
- G.** Give timely notice to other agency partners of this agreement of changes to policies, practices, and procedures as well as any rule amendments relating to transition and employment services along with the opportunity to provide input and feedback as is reasonable;
- H.** Develop information materials which provide relevant information about secondary transition to parents and students with disabilities and all relevant stakeholders through a variety of means at each stage of the transition planning process, beginning in middle school;

- I. Develop an infrastructure for delivering cross-agency professional learning via regional professional learning to support the joint understanding and implementation of Evidence-Based Practices (EBPs) to improve post-school outcomes for students with disabilities (SWDs);
 - J. Review, update, and operationalize required Interagency Agreements and develop evaluation methods to determine impact of efforts to improve cross-agency collaboration and implementation of EBPs;
 - K. Identify and mitigate gaps and, when possible, align resources among partners to improve outcomes of transition-age youth;
 - L. Serve as a vehicle for communication, coordination, and innovation on matters relating to transition-age youth among State agency partners;
 - M. Provide representation and ensure opportunity for representatives to provide feedback at leadership level;
 - N. Share administrative support and consult with SATC –MD as a resource for input/feedback for agency changes that may impact transitioning youth;
 - O. Coordinate the implementation of federal and state laws as it relates to parties' responsibilities to the seamless transition of students with disabilities;
 - P. Provide anticipated services and other relevant data to partners;
 - Q. Share and support (as appropriate) applications for grant funding that would increase access to services and improve outcomes for transition-age youth with disabilities.
- VII. Agreement Revisions:** The parties agree to formally review this agreement every two (2) years. The parties agree to revise this agreement as necessary and by mutual agreement.
- VIII. Resolution of Conflicts:** Parties intend to work together to resolve any dispute which may arise while this agreement is in force. For the resolution of general disputes arising over activities addressed in this agreement, parties will use the appropriate steps and methods as described herein:
- A. Attempts will be made to resolve the issue in an informal way, within SATC-MD.
 - B. When an issue cannot be resolved within SATC-MD, it should be referred to the leadership signatories of this agreement.
- IX. Period of Agreement**
- This Agreement is effective from the last date of signing as shown at the end of this Agreement until completion of this Project, or upon termination by any of the parties.

ASSURANCES AND SIGNATURES: The parties have identified and designated staff who will be responsible for coordinating and implementing the activities specified in the agreement. The responsible parties agree to review and update this agreement as appropriate, and conduct a formal review every two years.

In witness thereof, the parties have executed this agreement.

By: _____
Carol Beatty
Secretary
Maryland Department of Disabilities

Date: _____

By: _____
Marcella E. Franczkowski
Assistant State Superintendent
Maryland State Department of Education, Division of Early Intervention and Special Education Services

Date: _____

By: _____
Scott Dennis
Assistant State Superintendent
Maryland State Department of Education, Maryland Division of Rehabilitation Services

Date: _____

By: _____
Tiara Booker-Dwyer
Assistant State Superintendent for the Division of Career and College Readiness
Maryland State Department of Education, Division of Career and College Readiness

Date: _____

By: _____
Aliya Jones, M.D., MBS
Deputy Secretary Behavioral Health
Maryland Department of Health, Behavioral Health Administration

Date: _____

By: _____
Bernard Simmons
Deputy Secretary
Maryland Department of Health, Developmental Disabilities Administration

Date: _____

By: _____
James Rzepkowski
Assistant Secretary
Maryland Department of Labor (Labor)

Date: _____

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

Assistant Attorney General, Maryland Office of the Attorney General
Maryland State Department of Education

Date

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In witness thereof, the parties have executed this agreement.

By: Carol A. Beatty

Carol Beatty
Secretary

Maryland Department of Disabilities

Date: 06/29/21

By: Sylvia Lawson

Sylvia Lawson Ph.D.

Deputy State Superintendent

Maryland State Department of Education

Date: 5/21/2021

By: Marcella E. Franczkowski

Marcella E. Franczkowski, M.S.

Assistant State Superintendent

Maryland State Department of Education, Division of Early Intervention and Special Education Services

Date: 5-12-2021

By: Scott Dennis

Scott Dennis

Assistant State Superintendent

Maryland State Department of Education, Maryland Division of Rehabilitation Services

Date: 05/114/2021

By: Tiara Booker-Dwyer Date: 5/14/21

Tiara Booker-Dwyer

Assistant State Superintendent for the Division of Career and College Readiness

Maryland State Department of Education, Division of Career and College Readiness

By: Aliya Jones

Aliya Jones, M.D., MBA

Deputy Secretary Behavioral Health

Maryland Department of Health, Behavioral Health Administration

Date: 6/24/2021

By: 

Bernard Simmons
Deputy Secretary
Maryland Department of Health, Developmental Disabilities Administration

Date: 6-28-21



By: _____
James E. Rzepkowski
Assistant Secretary
Division of Workforce Development and Adult Learning
Maryland Department of Labor (Labor)

Date: 05/10/2021

APPROVED AS TO FORM AND LEGAL SUFFICIENCY



Assistant Attorney General, Maryland Office of the Attorney General
Maryland Department of Labor

APPROVED AS TO FORM AND LEGAL SUFFICIENCY



May 5, 2021

Assistant Attorney General, Maryland Office of the Attorney General
Maryland State Department of Education

Date

ATTACHMENT A

Definitions:

1. **Competitive Integrated Employment:** As defined in section 7(5) of the Rehabilitation Act and §361.5(c)(9) of the implementing regulations, the employment outcome must satisfy the criteria of three major components of the definition, including competitive earnings at or above minimum wage and comparable benefits to their co-workers without disabilities, integrated location in the community that provides ongoing opportunities for meaningful interaction with customers and colleagues 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 opportunities for advancement.
2. **Employment First:** A national effort, fully supported by Parties in this agreement, that seeks to ensure that individuals and youth of working age with the most significant disabilities consider competitive integrated employment as a preferred service and outcomes in planning for their lives.
3. **Transition Services:** A coordinated set of activities for a student, designed within an outcome-oriented process, which promotes movement from school to post-school activities, including post-secondary education, vocational training, competitive integrated employment (including supported employment), continuing and adult education, adult services, independent living, or community participation. The coordinated set of activities shall be based upon the individual student's needs, taking into account the student's preferences and interests, and shall include instruction, community experiences, the development of employment, and other post-school adult living objectives, and when appropriate, acquisition of daily living skills and functional vocational evaluation.
4. **Transitioning Youth:** Students with an IEP, age 14 to one year post school exit.
5. **Workforce Innovation and Opportunity Act (WIOA):** The Workforce Innovation and Opportunity Act (WIOA) is a federal act that was signed into law in July, 2014. WIOA replaces the Workforce Investment Act of 1998 (WIA) and amends the Rehabilitation Act of 1973. WIOA requires vocational rehabilitation (VR) agencies to set aside 15% of their federal funds to provide pre-employment transition services specifically to "Students with Disabilities" and 50% of their federal supported employment funds to provide extended services to youth with the most significant disabilities.
6. **Supported Employment (SE):** Individual Placement and Support (IPS) is a model of supported employment for people with serious mental illness (e.g., schizophrenia spectrum disorder, bipolar, depression). IPS supported employment helps people living with behavioral health conditions work at regular jobs of their choosing.
7. **Free and Appropriate Public Education (FAPE):** FAPE has the meaning set forth in the Code of Federal Regulations, Title 34: Education, Section 300.17.
8. **The Individuals with Disabilities Education Act (IDEA):** The IDEA is the landmark legislation which ensures that all children with disabilities have available to them a free, appropriate, public education (FAPE) that emphasizes special education and related services designed to meet their unique needs and prepare them for further education, employment, and integrated activities in the community [20 USC§ 1400 (d)(1)(A); 34 CFR § 300.1(a)].

9. **Individualized Plan for Employment (IPE):** A plan that is developed with each DORS eligible individual with a disability who is able to be served under the Order of Selection. The IPE outlines the goods and services required for the individual to achieve the identified employment objective. The IPE is jointly developed, agreed upon, and signed by the eligible individual and, when applicable, the legal guardian, and the vocational rehabilitation counselor. If the individual is under the age of 21 and still in high school, the parent/guardian is required to sign the IPE along with the eligible individual.
10. **Individualized Education Programs (IEPs):** The IEP is defined as a written statement for each student with an exceptionality, which describes that child's educational program and is developed, reviewed, and revised in accordance with special education laws and regulations. Each IEP must be developed with careful consideration of the individual child's capabilities, strengths, needs and interests. The IEP team that develops the IEP should include parents, school professionals, the student, and other agency professionals as appropriate. The IEP serves as a roadmap for the child toward high expectations and toward becoming a member of his or her community and the workforce.
11. **Pre-Employment Transition Services:** The Workforce Innovation and Opportunity Act (WIOA) amends the Rehabilitation Act of 1973 and now requires vocational rehabilitation (VR) agencies to set aside at least 15% of their federal funds to provide "pre-employment transition services" to "Students with Disabilities who are eligible or potentially eligible for VR services ." Pre-employment transition services consist of the below listed services:
 - a. Job exploration counseling
 - b. Work-based learning experiences
 - c. Counseling on opportunities for enrollment in comprehensive transition or postsecondary educational programs
 - d. Workplace readiness training
 - e. Instruction in self-advocacy
12. **Student with a Disability:** One who meets all of the following criteria:
 - a. Is at least 14 but no more than 21 years of age (has not yet reached 22nd birthday).
 - b. Has a disability, and has submitted the required qualifying medical documentation signed by a medical provider or a copy of IEP or 504 Plan.
 - c. Has documentation confirming enrollment as a student in an educational program, including:
 - i. Secondary school, including home school and alternative school programs (e.g., those housed within the juvenile justice system)
 - ii. Post-secondary education programs approved by a state's Higher Education Commission (i.e., Maryland Higher Education Commission)
 - iii. Adult basic educational programs which lead to a recognized educational credential (e.g., GED or high school diploma)
 - iv. State, nationally, or industry recognized certificate programs leading to a credential (e.g. Certified Nursing Assistant, Phlebotomy Technician, Microsoft Certification, Commercial Driver's License Certification, Automotive Service Excellence Certification).