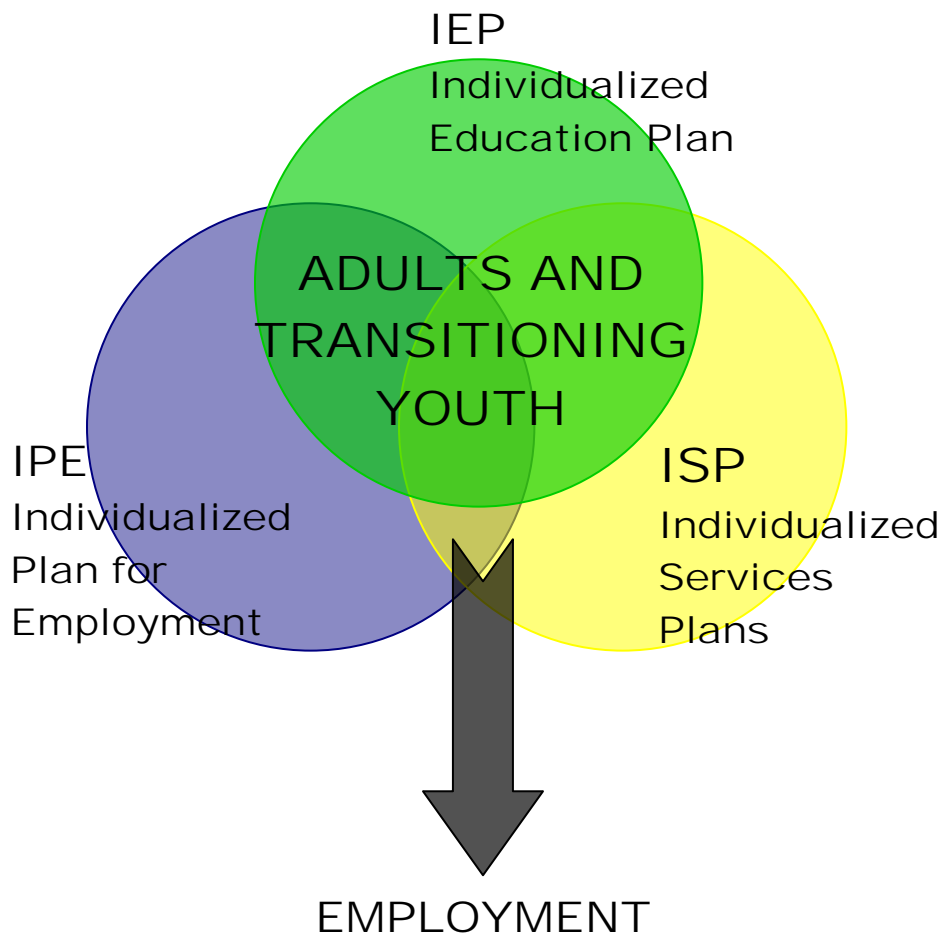


# Interagency Agreement



**Wisconsin Department of Public Instruction  
Division of Learning Support: Equity and Advocacy**

**Wisconsin Department of Workforce Development  
Wisconsin Division of Vocational Rehabilitation**

**Wisconsin Department of Health Services  
Division of Long Term Care  
Division of Mental Health and Substance Abuse Services  
Division of Public Health**

**December 2, 2010**

## **Introduction**

This interagency agreement has been revised from the July 2007 interagency agreement to now focus on both students with disabilities transitioning from high school as well as adults with disabilities, who have an expectation for integrated competitive employment. It has also been elaborated for clarity and to reflect best practices associated with increasing employment opportunities for people with cognitive and/or physical disabilities who also have challenges with mental health. Based on recommendations made by a statewide employment task force, this agreement represents the intent to fully coordinate all of the activities and programs within each agency, for every internal and external stakeholder who is striving to achieve employment for citizens with disabilities.

## **Statement of Need**

The Department of Workforce Development (DWD) - Division of Vocational Rehabilitation (DVR), the Department of Public Instruction (DPI) - Division for Learning Support Equity and Advocacy (DLSEA), and the Department of Health Services (DHS) – Division of Long-Term Care (DLTC) , Division of Mental Health and Substance Abuse Services (DMHSAS), and Division of Public Health- Program for Children and Youth with Special Health Care Needs (CYSHCN) are clarifying their relationship in order to establish a common understanding regarding their roles, policies, and procedures related to providing coordinated services and supports for individuals with disabilities entering employment.

In recent years, more attention has been focused on achieving outcomes through a results oriented process for individuals with disabilities. One important outcome is employment for individuals with disabilities when they leave high school or post secondary institutions. Nationally, many individuals with disabilities are significantly unemployed or underemployed upon leaving school, compared to their peers who do not have disabilities (U.S. Department of Education Office of Special Education and Rehabilitative Services, 2002). Inclusion in *integrated* employment settings is an additional emphasis.

Nationwide trends support adults with disabilities working in competitive integrated settings. In Wisconsin there are over 127,000 students age 3-21 with disabilities and approximately 390,000 individuals who are of working age with a disability. Approximately 39% of working age individuals with disabilities are not employed.<sup>1</sup>

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<sup>1</sup> U.S. Department of Education, Office of Special Education and Rehabilitative Services, 2005 & United States Census Bureau (2004)

## **Purpose**

The purpose of this DPI/DVR/DHS Interagency Memorandum of Agreement (MOA) is to fulfill the interagency agreement mandates found in the Individuals with Disabilities Education Act and the Rehabilitation Act along with DHS duties to promote the creation of coalitions among the state, counties, and providers.

This interagency Memorandum of Agreement (MOA) is intended to clearly define necessary relationships, policies, and procedures between the DVR, the DPI and the DHS in order to create common understandings and establish collaborative efforts regarding services that will ultimately improve *employment* outcomes for individuals with disabilities.

## **Authority and Scope**

This interagency agreement is mandated under 34 CFR 300.154(a) and (b) and under the Rehabilitation Act of 1973 as amended Section 101(a)(11)(D) and 34 CFR 361.22(a)(2).

### **DPI Authority and Scope**

DPI ensures that all children ages 3 to 21 with disabilities are provided free appropriate public education (FAPE) under IDEA and Wisconsin Statutes. For the purposes of this agreement, DPI has responsibility for transition youth who are ages 14 to 21 or until they exit school.

Individuals with Disabilities Education Act

34 CFR Sec. 300.154 Methods of ensuring services.

- (a) Establishing responsibility for services. The Chief Executive Officer or designee of that officer must ensure that an *interagency agreement* or other mechanism for interagency coordination is in effect between each non-educational public agency.

### **DVR Authority and Scope**

DVR, under the authority granted by the Rehabilitation Act, may provide any service necessary to achieve the employment goal stated in the Individualized Plan for Employment (IPE). Funding may be limited by state and federal purchasing regulations, availability of comparable benefits, and DVR policies.

Rehabilitation Act

34 CFR Sec. 361.22 Coordination with education officials.

- (b) Formal *interagency agreement*. The State plan must include information on a formal interagency agreement with the State educational agency.

34 CFR Sec 361.53 (d) (1) Interagency Coordination ...the vocational rehabilitation program and other appropriate agencies, will ensure that an interagency agreement or other mechanism for interagency coordination takes effect between the designated State vocational rehabilitation unit and any appropriate public entity, including the State entity responsible for administering the State Medicaid program.

### **DHS Authority and Scope**

The Division of Long-Term Care (DLTC), Division of Mental Health and Substance Abuse Services (DMHSAS), and Division of Public Health- Children and Youth with Special Health Care Needs (CYSHCN) programs under DHS provide access to community environments, including employment, and may be limited by the available funding. DLTC/DHS, under the authority from Centers for Medicaid and Medicare (CMS), may provide community-based services and supports to eligible individuals as an alternative to institutional placement. These programs are administered and funded through Medicaid, counties, and/or the Family Care Program (Family Care, Family Care Partnership, PACE, IRIS) for individuals with disabilities 18 and older. The range of mental health and/or substance abuse services and supports available through the Division of Mental Health and Substance Abuse Services (DMHSAS), also funded by Federal, state and local sources, is broader than those delivered through waivers for children ages birth to 18. The DMHSAS continuum goes from occasional outpatient visits to institutional care, but is primarily community based and intended to help consumers remain in their communities.

Under state law, DHS has the following responsibility:

Duties of the Department 51.03(4)(a)

Promote the creation of coalitions among the state, counties, providers...to develop, coordinate and provide a full range of resources to advance prevention; early intervention; treatment; recovery; safe and affordable housing; opportunities for education, employment and recreation; family and peer support; self-help; and the safety and well-being of communities.

### **Priorities**

This agreement between DPI, DVR, and DHS has four overall priorities supporting integrated employment:

1. To comply with federal legal mandates under the Rehabilitation Act of 1973 and the Individuals with Disabilities Education Act of 2004 (IDEA).
2. To provide practical guidance, technical assistance, and training to internal and external stakeholders and staff regarding employment-related services and supports.
3. To provide information on employment services to individuals with disabilities and their family members or guardians so they will be able to participate fully in employment.
4. To provide clarification of roles of stakeholders within each respective department regarding individuals with disabilities who have identified support needs associated with employment and independent living, so that individuals and their families may regard such efforts to be as seamless, non-duplicative, and as transparent as possible.

## Transitioning of Wisconsin Youth

### Overview of Transition

Transition services are a coordinated set of activities for a student with a disability that is designed to be within a results orientated process that is focused on improving the academic and functional achievement of the student with a disability to facilitate the student's movement from school to post-school activities, including: post-secondary education, vocational education, integrated employment (including supported employment), continuing and adult education, adult services, independent living, and community participation. Transition services are based on the individual student's needs, strengths, preferences and interests; includes instruction, related services, community experiences, the development of employment and other post school adult living objectives, and, if appropriate, acquisition of daily living skills and provision of a functional vocational evaluation. 34 CFR 300.43. The Rehabilitation Act further states that transition services must promote or facilitate the achievement of the *employment* outcome identified in the student's individualized plan for *employment*.

Every student who is eligible for special education may not be eligible for vocational rehabilitation services; every student who is eligible for vocational rehabilitation may not be eligible for special education; and every student who is eligible for long term supports and services through home and community based programs or MH/SA services may not be eligible for vocational rehabilitation. Therefore, the coordination and provision of transition services will vary from student to student, depending upon their eligibility status under IDEA, the Rehabilitation Act, and MA waivers. This makes the coordination of these programs and services essential.

Under IDEA, the transition-planning document is the Individualized Education Program (IEP) and under the Rehabilitation Act, the transition-planning document is the IPE. The IEP is an educational plan that must have appropriate measurable postsecondary goals based on age appropriate assessments related to training, education, employment, and where appropriate independent living skills. 34 CFR 300.320(b). The IPE is a vocational plan that can have an educational component. Some students will have an IEP, some will have an IPE, and some will have both.

When the student qualifies for services under IDEA, transition begins when that student turns age 14 (or younger if appropriate) and may last through age 21 during the time a student has an active IEP. 34 CFR 320(b), § 115.787(2)(g) Wis. Stat.

If the student has both an IEP and an IPE, the documents will outline activities and services (including DVR, special education, and related services) necessary for the student to move toward obtaining his/her post-school *employment* goal. Both the IEP and IPE should have the same post-school *employment* goal. Therefore, even though there are differences in orientation, there can also be overlap in the activities and services specified in each plan.

Both plans provide *individualized* transition services based on the *individual* student's needs, priorities, strengths, preferences, abilities, capabilities, and interests.

For students 18 to 21 years of age still enrolled in school who meet financial and functional eligibility requirements and are receiving services and supports under Medicaid Home and Community Based waivers, coordination between the above plan(s) and a waiver-required Individual Service Plans (ISPs) must also occur. The recent/on-going expansion of managed care in Wisconsin requires the involvement of collaborations with other entities such as Managed Care Organizations (MCOs) and Aging & Disability Resource Centers (ADRCs).

Youth with medical conditions that require management need health transition goals in their IEPs to prepare them to be responsible for their own health condition in the workplace and independent living. This includes the ability to share information about the condition, seek appropriate care when needed, and instruct others on how to assist in a medical emergency.

Youth with mental health and/or substance abuse issues who are enrolled in a program utilizing the wraparound process, such as Integrated Services Projects (ISP) or Coordinated Services Teams (CST), are required to have transition issues addressed in their individual plans of care. Youth in Comprehensive Community Services (CCS) programs have their transition and pre-employment related planning included in their service plans. Young adults in Community Support Programs (CSP) also have employment issues as a required element in their service plans.

The overlap of policies and procedures between all of these entities, and possible variations/combinations within these program options necessitate coordinated and purposeful approaches that will ensure service effectiveness and continuity in people's lives to the greatest extent possible.

## **Employment in Wisconsin**

Of the estimated 3.4 million Wisconsin residents ages 16-64 years, over 300,000 of these individuals have disabilities that impact employment<sup>2</sup>. Employment represents an important part of life for people with and without disabilities. Employment not only generates financial income, but also provides structure, social benefits, and stronger connections to the community. In Wisconsin, employment services and coordination are provided in a person-centered manner, consistent with an individual's goals, skills, and interests. Wisconsin promotes the provision of employment services using the person-centered approach, which allows full inclusion and respects individual choice.

Employment services for adults with disabilities can be funded and provided under the guidance of the Rehabilitation Act of 1973 as amended, the Workforce Investment Act (WIA), and Medicaid-funded long-term support services. These programs have differing

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<sup>2</sup> United States Census Bureau (2000)

eligibility criteria and may overlap at various stages in the vocational process. Strong coordination between team members, including the individual job seeker, generally results in higher quality service and better outcomes.

‘Employment Outcomes’ are defined by the Rehabilitation Act of 1973 as amended, as:

*...with respect to the individual entering or retaining full-time or, if appropriate, part-time competitive employment, as defined in §361.5(b)(11), in the integrated labor market, supported employment, or any other type of employment in an integrated setting, including self-employment, telecommuting, or business ownership, that is consistent with an individual’s strengths, resources, priorities, concerns, abilities, capabilities, interests, and informed choice.*<sup>3</sup>

Employment services and supports are also identified as appropriate services within the Medicaid 1915(c) Home and Community-Based Waivers. This includes both the Wisconsin *Family Care* program serving individuals with physical or developmental disabilities age 18 and over as well as *I Respect I Self-Direct* (IRIS), Wisconsin’s self-directed support waiver.<sup>4</sup>

## **Overview of Adult Service System**

### **DVR**

The mission of DVR is to assist individuals with disabilities to prepare for, secure, retain, or regain employment by working with VR consumers, employers and other partners. DVR achieves this mission by providing employment services and counseling to individuals with disabilities, providing or arranging for services to enable an individual to go to work in an integrated competitive environment, and providing training and technical assistance to employers regarding disability issues.

### **DHS**

Any individual with a disability over the age of 18 may receive services and supports from any or some of the programs and agencies represented in this agreement. This agreement represents intent to assure consumers and other stakeholders that these Departments are collaborating, cooperating and consulting each other, in order to ensure a seamless and transparent system for everybody.

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<sup>3</sup> Rehabilitation Act of 1973, as amended, 29 USC 721(a)(10) and (14)

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<http://www.cms.hhs.gov/MedicaidStWaivProgDemoPGI/MWDL/list.asp?filtertype=dual&datefilterinterval=&filtertype=data&datafiltertype=2&datafiltervalue=Wisconsin&keyword=&intNumPerPage=10&cmdFilterList=Show%2bItems>

## Commitments

### Statewide DPI, DHS, and DVR Commitments

1. Provide mutual/concurrent training and orientation to internal and external stakeholders regarding this agreement.
2. Share data and detailed information regarding individuals with disabilities, who are being served or may potentially be served by another Agency, on an on-going and regular basis, in a way that meets the needs of the other agency.
3. Complete an annual status report around the four priorities the agencies have identified, including both progress and needs.
4. Provide professional development to internal staff/employees/contracted entities to improve employment results for individuals with disabilities.
5. Provide directories of resource information to all collaborating agencies, including descriptions of services and supports and contact information that can be linked and used on separate or mutually designed websites, including the Wisconsin Statewide Transition Initiative (WSTI).
6. Support the WSTI website for improving transitioning services for individuals with disabilities.
7. Share responsibility for publication, dissemination, and explanation of this agreement, as well as any accompanying guides (e.g. Transition Technical Assistance Guide, Adult Services Technical Assistance Guide).
8. Share responsibility in development, explanation of this agreement.
9. Cooperate with existing teams, committees, and other workgroups within each other's respective agencies, as necessary, to improve consistency and level of engagement in the mutual processes, such as enrollment, eligibility determination, and annual reviews about individual consumers (IEPs, IPEs, ISPs).
10. Continue collaborative activities established in the prior agreement associated with youth transitioning including participation in related councils (e.g. Transition Advisory Councils), advisory committees, work groups, and other existing teams (e.g. Statewide Transition Action and Resource Team).
11. Continue participation with the National and Wisconsin Community of Practice on Transition to carry on establishing employment related practice groups for individuals with disabilities.
12. Share information with the Regional Centers for Children and Youth with Special Health Care Needs which provide information, assistance, and links to training.

### Statewide DPI Commitments

The Special Education Team is part of DPI's Division for Learning Support: Equity and Advocacy. The mission of the Special Education Team is to provide statewide leadership, oversight, advocacy, technical assistance, and promote collaboration among parents, educators, students, communities, and other agencies to ensure that all children with disabilities have available to them a Free Appropriate Public Education (FAPE). To assist in this mission, DPI has developed and implemented a transition project, the Wisconsin Statewide Transition Initiative (WSTI).



The Wisconsin Statewide Transition Initiative (WSTI) was established in 2000 and is supported by the Department of Public Instruction (DPI). The over arching goal of WSTI is to help students make a successful transition from high school into their adult lives. WSTI provides personnel development, support services, and information dissemination on IDEA 2004 transition requirements and effective practice including State Performance Plan Indicator #13 to educators, parents, youth, and community agency representatives.

The primary focus of WSTI is to assist school districts in meeting the 100% compliance goal for Indicator #13, which is part of the state procedural compliance self-assessment. To support meeting Indicator #13 compliance across the state, the project continues to provide personnel development based on the Wisconsin Personnel Development Model on Indicator #13 elements and contrast with effective practice strategies.

The WSTI website includes a Transition Resource Directory. Each county in Wisconsin has a Resource Directory that can be found at [www.wsti.org](http://www.wsti.org). These directories include useful information about service agencies that can provide transition assistance to students and their families. WSTI provides a Transition Coordinator Network (TCN). This Network provides an opportunity for district and CESA level transition coordinators to network with other district level transition coordinators from schools across the state. The Network meets in person 2-3 times per year to share resources across districts, problem-solve around common transition related challenges, receive updates on state level transition information and build a statewide Network to promote effective practices that improve outcomes for youth with disabilities.

WSTI is a sponsor of the Wisconsin Transition Conference. This annual conference provides keynote speakers and concurrent sessions on timely transition topics of interest to all people working with and supporting youth with disabilities as they transition from high school to adult life. Transition Advisory Councils (TAC) in each county in the state are comprised of educators, youth, parents, and agency representatives who meet regularly to problem solve transition related issues within the county. Information about meetings may be found at [www.wsti.org](http://www.wsti.org) and membership is open to anyone who is interested in improving transition services for youth with disabilities.

DPI supports the [Wisconsin Post High School Outcomes Survey](#) (WPHSOS), which assesses the outcomes of individuals with disabilities one year after they exit high school. Former students are contacted for a telephone interview to assess areas of independent living, participation in postsecondary education, employment, and high school IEP planning. In addition, once during 2007-12, each district in Wisconsin will be required to use the post high website and process to fulfill the requirements of Indicator 14 of the State Performance Plan. In addition to using the WPHSOS website in a compliance year, districts may choose to use the website any year to collect outcomes data on local exiters, with and without disabilities. In addition to the required reporting elements of Indicator 14, this site provides many ways for districts to review their outcomes data.

DPI will assist local school districts in networking with postsecondary education systems using the required summary of performance (SOP), with attached recent documentation of the student's disability to determine eligibility of services. This will assist students in making necessary connections with available accommodations and services provided by individual postsecondary institutions.

Effective communication needs to be established at the local and state level by all stakeholders, including but not limited to: students with disabilities, parents, DVR, ADRC's, mental health and substance abuse providers or other county service providers, and postsecondary institutions. Effective communication includes defining roles and responsibilities, collecting and sharing data, sharing resources, and listing expectations.

Postsecondary disability services staff will assist local school districts with transition planning for students with disabilities, including those in special education starting at age 14 per Wisconsin state law.

DPI agrees to:

1. Share data for students with disabilities, regarding transition services, postsecondary goals, post high school outcomes, and exiting and environment data, see DPI state performance plan and annual report regarding indicator 13 & 14, and support WSTI & WPHSOS to provide professional development to measure and improve post school employment results for youth with disabilities;
2. Advise school districts to invite, with parent consent, appropriate representatives, from any system connected with the youth such as a DVR counselor, ADRC, county mental health and substance abuse services, Juvenile Justice, child welfare staff and parents, MCO, or IRIS representative prior to the meeting when the need for vocational services is anticipated and at least 2 years prior to high school completion;
3. Provide Wisconsin secondary schools list to DVR and DHS to encourage the identification of a school district or school building contact person needed for DVR/DHS collaboration;
4. Encourage educators, parents, and youth to participate in county Transition Advisory Councils (TACs);
5. Encourage networking and collaboration among DVR and a local long-term care system representative, mental health and substance abuse service providers, educators, parents, and youth through development of a Transition Advisory Council mission statement and county wide activities which are posted on the WSTI web site; and
6. Cooperate with the DVR Statewide Transition Action and Resource Team (START) in their efforts to improve consistency and level of engagement in the transition process.

### **Statewide DVR Commitment**

The Department of Workforce Development (DWD) administers employment and training programs to individuals in the State of Wisconsin. DVR is one division within DWD. The mission of DVR is to assist individuals with disabilities to obtain, prepare for, retain, regain, or advance in employment. DVR is mandated within the Rehabilitation Act to provide

transition services. To assist in providing transition services, DVR has designated staff to provide leadership, advocacy, technical assistance, and promote collaboration among consumers, parents, communities, and other agencies. In addition, DVR has assigned liaison counselors to each school district and/or school building in the State of Wisconsin.

DVR agrees to:

1. Gather employment outcome data regarding the students who receive transition services under this agreement and to share that information with DPI and DHS;
2. Support WSTI, which includes providing technical assistance to school districts and county Transition Advisory Councils (TACs), disseminating information, and participating in staff development activities;
3. Collaborate to update the clearing house of transition information on the WSTI website;
4. Advise DVR staff to attend, with parental consent, IEP and/or mental health/substance abuse wrap around team meetings to provide employment information, technical assistance, case consultation, and information/referral as needed;
5. Designate and communicate a liaison counselor to each school district and/or school building identified by DPI;
6. Share responsibility with DPI and DHS for publication and dissemination of this agreement;
7. Encourage networking and collaboration among DVR, educators, parents, youth, DHS, and other partners through development of a Transition Advisory Council mission statement and state and county wide activities to support the agreement;
8. Support the DVR Statewide Transition Action and Resource Team (START) to improve consistency and engagement in the transition process;
10. Actively participate with the National and Wisconsin Community of Practice on transition, including collaborating with DPI and DHS/DLTC/DMHSAS/DPH-CYSHCN program on the establishing of an employment practice group; and on employment; and
11. Continue collaborative activities with DHS and DPI related to Long term Care and other councils, committees, and advisory groups.

### **Statewide DHS Commitment**

DHS administers and oversees the provision of long-term supports and services to adults and children through federal home and community-based (HCB) waivers via contractual relationships with counties, MCOs, and other entities. DLTC, DMHSAS, and DPH are divisions within DHS, whose mission is to assure the health, safety and quality of life for individual citizens with disabilities. Successful employment planning requires deliberate coordination and proactive interactions between all entities that support and serve people with disabilities.

DHS has broad responsibility for implementing long-term care in a way that optimizes the use of resources, while promoting respect, choice, and positive outcomes for individuals and

families. The Department values the involvement of consumers, citizens, and providers, as well as community and government agencies, in all aspects of the service delivery system.

DHS agrees to:

1. Provide available employment data regarding individuals in long-term employment situations, and encourage interdisciplinary actions that promote collaboration in transition planning between schools districts, ADRCs, MCOs. mental health and substance abuse services, Juvenile Justice, child welfare and other service providers associated with MCOs;
2. Designate liaisons between DLTC/ mental health and substance abuse system representatives and the County Transition Advisory Councils or other entities that involve individuals and their families/guardians to provide technical assistance;
3. Advise long term care providers and mental health and substance abuse providers regarding the importance of attending IEP/IPE/ MCP(Member Centered Plan) /wraparound team meetings for individuals who are on their case loads, and encourage the individual's full participation within the meetings;
4. Advise ADRC's MCO's, Partnership, PACE, and county waiver agencies about the importance of establishing a liaison from their organization to each of the high schools; these liaisons should provide assistance and information about available long-term support and other resource options, and could be involved in the IEP/IPE/MCP planning at the appropriate time(s);
5. Advise ADRC's, MCO's Partnership, PACE and county agencies about the importance of establishing a liaison from their organization to each of the five Division of Public Health Regional Centers for Children and Youth with Special Health Care Needs to assure coordination between childhood and adult services information and assistance;
6. Share responsibility with DPI and DWD for publication and dissemination of this agreement, which may include formal or informal participation;
7. Encourage the best formal and informal practices by long term care and mental health and substance abuse service providers associated with individuals who are anticipated to have long term employment support needs;
8. Contribute information to the WSTI website to keep stakeholders and the public informed about collaborations and networking activities between agencies;
9. Cooperate with DVR (START) and TAC team efforts to ensure strong employment activities that involve the consumer, family, and other stakeholders;
10. Explore the availability and/or acquisition of outcome data for transition age youth and young adults who receive mental health and/or substance abuse services;
11. Collaborate with WSTI to better inform our mutual workforces on how to best serve transition age youth/adults with mental health and/or substance abuse issues;
12. Encourage CST and ISP wraparound programs to promote local level staff participation in the IEP meetings, in collaboration with other stakeholders; and
13. Continue to convene the Mental Health Transition Advisory work group and share information on the work and outcomes of the Substance Abuse and Mental Health Services Administration Healthy Transition Grant.

## **Terms of the Agreement**

The terms of this interagency agreement between the Department of Workforce Development/Division of Vocational Rehabilitation, the Department of Public Instruction/Division for Learning Support: Equity and Advocacy, and the Department of Health Services/Division of Long-Term Care/Division of Mental Health and Substance Abuse Services/ Division of Public Health- Children and Youth with Special Health Care Needs (CYSHCN) program shall begin on the date of signatures and continue until replaced by a new agreement, terminated upon mutual agreement, or upon written request of any party.

## **Resolution of Conflicts**

### **A. General procedures for intra and inter agency disputes:**

For the resolution of disputes arising over issues addressed in this agreement, all parties will utilize the appropriate steps and methods as described herein. Attempts will be made to resolve the issue at the lowest level of disagreement. Informal resolution will be the first step in dealing with any disagreements relative to this agreement. When an issue cannot be resolved at the lowest level, it should be referred to the next highest level as a formal dispute. Formal disputes under these procedures are to be submitted in writing at the appropriate local or state level. The materials presented will include: the regulation or requirement related to the dispute; the specific issue needing resolution; the prior steps taken to resolve the issue, and any additional information that may be relevant to the dispute. Utilizing the information presented, a good faith effort will be made to reach a mutually satisfactory solution. Efforts must be made at each level for resolution in a timely manner.

### **B. Conflict resolution between consumer and agencies identified in this agreement**

Individual students/consumers and their parents or legal guardians have the right to appeal decisions regarding eligibility, services, and other aspects of the IEP or IPE or ISPs. In these situations, an appeal should be filed following agency/school appeal procedures.

### **C. Resolution of state department intra-agency disputes**

This agreement recognizes that each agency has its own administrative mechanisms for the timely resolution of internal disputes. This agreement recognizes these procedures and permits each agency to resolve its own internal disputes.

### **D. Resolution of state department interagency disputes:**

When a formal dispute arises between agencies regarding the terms of this agreement the party seeking clarification shall use the following procedure for resolution:

1. The issue will be referred to the respective division administrator or their designees for resolution.
2. If unresolved by division administrators, the issue will be referred to the highest level within the agencies for resolution.
3. All necessary steps in the resolution under this section shall occur within 60 days from referral to division administrators. If acted on in good faith with just cause and through mutual consent, an extension may be granted.

## Signatures

This agreement is effective immediately upon joint signature:

### Department of Public Instruction

Anthony Evers  Date \_\_\_\_\_  
State Superintendent, Department of Public Instruction

Carolyn Stanford Taylor  Date 11/12/10  
Assistant Superintendent, Division for Learning Support: Equity and Advocacy

### Department of Workforce Development

Roberta Gassman  Date 11/3/10  
Secretary, Department of Workforce Development


Charlene Dwyer  Date 10/20/10  
Administrator, Division of Vocational Rehabilitation

### Department of Health Services

Karen Timberlake  Date 11/30/10  
Secretary, Department of Health Services

Susan Crowley  Date 11/22/10  
Administrator Division of Long-Term Care

John Easterday  Date 11/23/2010  
Administrator, Division of Mental Health and Substance Abuse Services

Sandra L. K. Breitborde, MA, MS  Date 11/29/2010  
Deputy Administrator  
Division of Public Health