

Memorandum of Understanding
Between The

Department of Workforce Development
Division of
Vocational Rehabilitation

And

Department of Children and Families
Division of Family and Economic
Security
Wisconsin Works Program



Purpose

The purpose of this MOU is for the Wisconsin Department of Workforce Development, Division of Vocational Rehabilitation (DVR) and the Department of Children and Families, Division of Family and Economic Security, Wisconsin Works (W-2) Program to establish collaborative efforts regarding their services and to develop a common understanding regarding their roles, policies, and procedures to better serve *individuals with disabilities who may benefit from services from both programs.*

Statement of Need

According to the 2006 Disability Status Report in Wisconsin an estimated 355,000 or 11.1% of non-institutionalized, men and women between the ages of 21-64 reported having one or more disabilities, for whom the employment rate was 43% compared to 84% for individuals without disabilities.¹ Studies also indicate that the incidence of disability and unemployment is greater among minority populations. This partnership between DVR and W-2 will work to increase outreach to individuals with disabilities who are unserved or underserved as well as individuals with disabilities who are minorities.

Many Temporary Assistance for Needy Families (TANF) recipients have impairments. In a national study of TANF recipients, the General Accounting Office (GAO) found that 44 percent of TANF recipients had at least one physical or mental health impairment, three times higher than the rate of such impairments among adults not receiving TANF benefits. In 1999, 38 percent of TANF recipients reported an impairment severe enough that the individual was unable or needed help to perform one or more activities, such as walking up a flight of stairs or keeping track of money and bills. In a second report, in July 2002, GAO found that recipients with impairments are half as likely to exit TANF as recipients without impairments. And, people with impairments are less likely than people without impairments to be employed after leaving TANF.

Based on information reported by W-2 agencies through the Client Assistance for Re-employment and Economic Support (CARES) information system, in December 2007, 31 percent of the total W-2 population reported a disability-related barrier to employment. This included over 1000 individuals with mental health barriers, 1300 with physical limitations, 200 with substance abuse issues, 50 with a learning disability, 150 with an unspecified disability, 30 with cognitive

¹ Rehabilitation Research and Training Center on Disability Demographics and Statistics.(2007). 2006 Disability Status Report. Ithaca, NY: Cornell University.

limitations and 600 with other medical barriers to employment.² While these numbers give some indication of the challenges facing the W-2 population, they do not account for hidden conditions.

DVR's data also suggests that not everyone needing services is receiving them. In FFY2007 the Wisconsin Division of Vocational Rehabilitation served 36,380 individuals with disabilities; while it is estimated that the total number of persons with disabilities potentially eligible for DVR services in the state of Wisconsin is close to 200,000.

Partnering between TANF and DVR services is commonly cited as a best practice. A February 2007 report put out by the Center for Law and Social Policy (CLASP) identified TANF/DVR partnerships as an effective strategy for helping TANF recipients with disabilities succeed in work programs. In March of 2001 the Rehabilitation Services Administration released an Information Memorandum to all states discussing ways VR and TANF programs could partner in order to better serve TANF recipients with disabilities. This report discussed how without access to vocational services and supports to address their disabilities, individuals with various disabilities were less likely to succeed in the workplace. States with current VR and TANF partnerships reported several factors that helped them regard their partnership as successful: increased understanding of the others program, a referral system, increased communication, coordination of goals and services, reduced duplication, provision of additional expertise and resources to the consumer, and shared commitment to their mutual consumer.

Through an assessment conducted on the rehabilitation needs of individuals with disabilities in the State of Wisconsin, DVR recognized in their State Plan the need to develop cooperative programming with W-2 to better serve individuals with disabilities and individuals with disabilities who are minorities. While eligibility criteria, policy and procedures for W-2 and DVR differ, both programs offer an array of services to assist their consumers with disabilities in gaining employment. By collaborating and developing strategies to provide further outreach and coordinate services, W-2 and DVR can better serve individuals with disabilities.

Goals

This agreement between the Department of Workforce Development, Division of Vocational Rehabilitation and the Department of Children and Families, Division of Family and Economic Security, Wisconsin Works (W-2) Program has five main goals:

1. Increase successful employment outcomes for individuals with disabilities being served.

² While the percentage of persons cited with a disability-related barrier is an unduplicated count of W-2 participants, some participants are included in the count for more than one type of disability-related barrier.

2. Maximize available resources and reduce duplication of effort.
3. Increase DVR Counselors' and W-2 Case Managers' program knowledge related to disability and low-income employment resources.
4. Increase services to individuals with disabilities who are minorities or unserved or underserved.
5. Establish a foundation for collaborative efforts between DVR and W-2 that may include:
 - a. Identifying cross-program training needs.
 - b. Establishing criteria for DVR to provide employment planning consultation in W-2 cases where the individual has a disability. Establish similar criteria for W-2 to consult on DVR cases when appropriate;
 - c. Developing a DVR/W-2 eligibility screening and referral process;
 - d. Establishing a process for coordination of employment planning in jointly-shared cases;
 - e. Agreeing on cost-sharing; and
 - f. Developing a process for conflict resolution.

Authority and Scope

DVR Authority and Scope

The purpose of DVR is to assist individuals with disabilities to successfully prepare for, secure, retain or regain employment. DVR provides a variety of services pursuant to this purpose.

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

W2 Authority and Scope

W-2 is one of multiple programs in Wisconsin funded by the Federal Temporary Assistance for Needy Families (TANF) block grant. Under TANF, adults receiving assistance are expected to engage in work activities and develop the capability to support themselves before their time-limited assistance runs out. The four main purposes of TANF, enacted under the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA), include:

1. To provide assistance to needy families;
2. To end dependence of needy parents by promoting job preparation, work and marriage;
3. To prevent and reduce out-of-wedlock pregnancies; and
4. To encourage the formation and maintenance of two-parent families

The Federal Department of Health and Human Services, Office for Civil Rights has also issued policy guidance to state administrators of TANF programs to use in fulfilling their responsibilities pursuant to Title II of the Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act. This policy guidance can be accessed on the internet at: <http://www.hhs.gov/ocr/prohibition.html>.

Principals of Collaboration

This agreement lays the foundation for collaboration between DVR and the W-2 program. It is through this collaboration that both programs will be able to work together to develop strategies and successful practices that will better serve individuals with disabilities.

Across the nation, DVR and TANF programs are developing partnerships to improve services for individuals with disabilities. The strategies and methods being used vary state by state. While current outcome data is scarce, according to the Rehabilitation Service Administration's March 26, 2001 Information Memorandum, initial indications suggest these partnerships have been successful.

Through the development of this partnership, DVR and W-2 will work together to improve services for individuals with disabilities that they mutually serve. Both programs will be able to identify cross-training needs and establish trainings to develop common understandings regarding both programs. With this understanding, staff will be able to better provide information to the individuals they serve regarding services available and assist them in making an informed choice on what will best meet their needs in achieving their employment goal.

Through collaboration, DVR and W-2 can work to provide each other with *Employment Planning Consultation* for individuals with disabilities who are not yet being served through their program. This technical assistance could include providing assistance, strategies, successful practices, and creative ideas for identifying an individual's employment goal, need for services, and concerns to be addressed in achieving his or her goals. Topics may include information on disabilities, employment, need for services, assistive technology, accommodations, labor market, and resources that may assist them in achieving their employment goal. DVR and W-2 would not bear any financial or ongoing counseling/ case management responsibilities under this Employment Planning Consultation. DVR and W-2 can also work together to establish an eligibility

screening and referral process that would not only improve the identification of individuals who could benefit from the programs but also improve the consistency and efficiency through which the referrals are made.

For individuals receiving services from both programs, W-2 Case Managers and DVR Counselors will be able to work as a team to assist the individual in identifying an employment goal and needed services for both the W-2 Employability Plan (EP) and the DVR Individualized Plan for Employment (IPE). The W-2 case manager, DVR counselor, and individual will establish a plan for ongoing collaborative case management that will ensure the individual remains on course to achieve his or her employment goal.

It is through these principals of collaboration that DVR and W-2 will be able to reduce duplication of services and resources, and ultimately better assist individuals receiving services from both programs in achieving his or her employment goal.

Statewide DVR Commitment:

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 services to eligible individuals to assist them in achieving their Individualized Plan for Employment Goal. To assist in providing these services, DVR encourages staff to provide leadership, advocacy, technical assistance, and promote collaboration among consumers, communities, and other agencies.

DVR agrees to:

1. Provide information dissemination, outreach, and participation in staff development activities.
2. Provide *Employment Planning Consultation* to W-2 for individuals with disabilities who are not currently DVR consumers.
3. Engage in collaboration efforts through participation in joint staffings, inviting W-2 representatives as team members to consumer meetings, and coordinating services for joint consumers.
4. Implement a Technical Assistance Guidance document containing successful practices and a process model.
5. Support efforts to improve statewide consistency in providing collaborative services.
6. Join efforts of local DVR and W-2 councils/committees
7. Educate W-2 staff on the DVR program.
8. In collaboration with W-2 develop an eligibility screening and referral process.
9. Provide training to first line providers regarding the MOU.
10. Share responsibility in dissemination of this agreement.

Statewide W-2 Commitment:

The goal of W-2 is to provide necessary and appropriate services to prepare individuals to work and to move towards viable, self-sustaining employment. Individuals who may be eligible for W-2 services include custodial parents of minor children, pregnant women, minor parents and some non-custodial parents. To be eligible, individuals must meet financial and non-financial eligibility criteria pursuant to ss.49.141 through 49.161 of Wisconsin State Statutes.

Wisconsin Works (W-2) Program agrees to:

1. Provide information dissemination, outreach, and participation in staff development activities.
2. Provide *Employment Planning Consultation* to DVR for individuals with disabilities who are not currently W-2 participants.
3. Engage in collaboration efforts through participation in joint staffings, inviting DVR representatives as team members to participant meetings, and coordinating services for joint consumers.
4. Implement a Technical Assistance Guidance document containing successful practices and a process model.
5. Support efforts to improve statewide consistency in providing collaborative case management services.
6. Join efforts of local W-2 and DVR councils/committees.
7. Educate DVR staff on the W-2 program.
8. In collaboration with DVR, develop an eligibility screening and referral process.
9. Provide training to W-2 Contract Agencies regarding the MOU.
10. Share responsibility in dissemination of this agreement.

Terms of Agreement

The terms of this Memorandum of Understanding between the Division of Vocational Rehabilitation and the Division of Family & Economic Security 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 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 DVR or W-2:

Consumers or their legal guardians have the right to appeal DVR or W-2 decisions regarding eligibility, services, and other aspects of the IPE or EP. In these situations, an appeal should be filed following program 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.

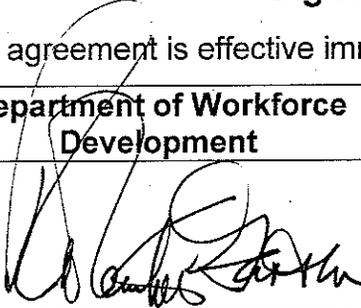
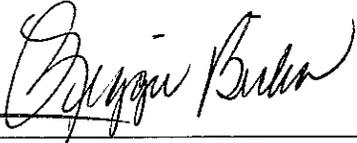
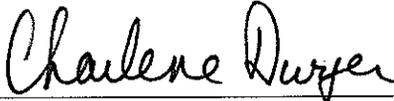
D. Resolution of state department interagency terms of agreement disputes:

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 Workforce Development	Department of Children and Families
	
Roberta Gassman Secretary	Reggie Bicha Secretary
Date: 11-10-09	Date: 11-2-09
Division of Vocational Rehabilitation	Division of Family and Economic Security
	
Charlene Dwyer Administrator	Julie Kerksick Administrator
Date: 11/9/09	Date: 9-10-09