

**Rhode Island Department of Elementary & Secondary Education,  
Department of Behavioral Health, Developmental Disabilities & Hospitals,  
Department of Human Services/Office of Rehabilitation Services**

I. PURPOSE

A. This Cooperative Agreement (CA) represents a collaboration between The Rhode Island Department of Education (RIDE), the Department of Behavioral Healthcare, Developmental Disabilities & Hospitals (BHDDH) and the Department of Human Services/Office of Rehabilitation Services (DHS/ORS) that will ensure the practice and applicable policy of each partner is in alignment with the objectives of an Employment First philosophy and the Consent Decree. This CA specifically addresses the right of youth and adults with intellectual/developmental disabilities (I/DD) to have access to services governed by RIDE, BHDDH & ORS that lead to competitive, integrated employment and integrated day services opportunities.

II. TIME OF PERFORMANCE/ DURATION

- A. The duration of the Rhode Island Department of Education (RIDE), the Department of Behavioral Healthcare, Developmental Disabilities & Hospitals (BHDDH) and Department of Human Services/Office of Rehabilitation Services (DHS/ORS) Cooperative Agreement (CA) is in effect from January 1, 2016 to December 31, 2019.
- B. This CA may be reviewed and modified annually to assure the Departments are actively evaluating opportunities, barriers and the inclusion of best practices into our collaborative work.
- C. The CA maybe extended with the agreement of all parties in writing and may be terminated with 30 day notice from any party.

III. GUIDING PRINCIPLES

- A. RIDE, BHDDH and DHS/ORS have established a common principle that all citizens of Rhode Island with intellectual/developmental disabilities deserve competitive integrated employment that is compensated at the greater of minimum or prevailing wages. We are guided by the following:
- i. Community integration

- ii. Individual choice
- iii. Quality of services
- iv. Person-centered planning concepts, based on informed choice, and consistent with the philosophy of self-determination
- v. All natural as well as paid supports shall be considered in individualized service planning.

B. For Transition Aged Youth with Intellectual/Developmental Disabilities

- i. Should participate in planning that incorporates the following assumptions:
  - 1. Plans are guided by the individual (and/or family) through a person centered planning process;
  - 2. All youth prefer integrated competitive employment;
  - 3. Plans lead toward a career path, that is socially integrated and leads to optimal self-sufficiency and socioeconomic advancement;
  - 4. Youth will have an intended timeline for when competitive integrated employment will be obtained;
  - 5. Youth receiving Social Security benefits will receive access to benefits planning information from a qualified professional no later than during the year prior to exit from secondary schools;
  - 6. Youth will have academic preparation, and school based preparatory experiences such as: social skills training, soft skills development, daily living skills, financial literacy, career preparation, youth development and leadership, self-advocacy, self-determination, and conflict resolution skills.
- ii. Youth will have opportunities for community experiences, integrated work based learning experiences (internships, part time employment, & summer employment), and career exploration, prior to exit from secondary schools.
- iii. Individualized Education Programs (IEP) for youth will include post school goals in employment.

- iv. Youth will have access to information and support that allows for customized employment strategies, supported employment/work based experiences.
- v. A Career Development plan should be formulated and/or revised at least annually in conjunction with the IEP process beginning at the age of fourteen.

C. For Adults with Intellectual/Developmental Disabilities

- i. Planning incorporates the following assumptions:
  - 1. Plans and planning processes will be guided by the individual (and/or family), with appropriate supports that prepare them for the future;
  - 2. Adults desire competitive, integrated employment or a career path toward that outcome and publicly financed services should encourage and support that desire; and
  - 3. Adults also desire to engage in a socially integrated life that leads to optimal self-sufficiency and socioeconomic advancement.
- ii. Some adults may need a variety of paid internships or work experiences prior to setting a career goal, while other adults may choose the Rapid Employment model.
- iii. Every adult on Social Security benefits will receive a benefits analysis prior to employment in order to be properly educated on the merits of pursuing and engaging in integrated employment and preparing for the acquisition of future income and assets as a result of such employment.
- iv. Funding will identify and prioritize activities that support competitive, integrated employment expectations and goals.
- v. BHDDH and DHS/ORS expects to braid funds and resources across systems to serve shared clients.
- vi. Community Providers will be proficient in customized employment strategies and supported employment services to ensure individuals with the most significant disabilities obtain integrated employment.

- vii. An individualized resource map identifying additional public, private and natural supports available to help successfully implement the individual employment plan will occur.
- viii. It is the intention of BHDDH and DHS/ORS to develop effective practices in partnership with all public agencies and Community Providers to ensure adult access to services that result in competitive, integrated employment.

#### IV. SUPPORTED EMPLOYMENT SERVICES AND PLACEMENTS

- A. State agencies will facilitate to the provision of individualized assessment activities based on the functional skills, interests, and abilities in order to ensure client access to integrated competitive work experiences that expose them to the demands and social benefits of employment.
- B. Such strategizes as discovery, informational interviewing and job shadowing, will be incorporated to ensure that individuals with I/DD have an opportunity to participate in and make informed decisions about the type of job and work setting that best meets their interests and abilities.
- C. Formulation of a work objective will be based primarily on interviews and observations with the individual and input from significant others rather than formal or standardized testing. Identification of support needs, job specific potential and overall job fit will be based on information from participation in a real work environment, with the necessary supports such as job coaching, assistive technology, and job modification and with compensation at least at minimum wage.
- D. For transition aged youth with I/DD, ORS will support trial work experiences and RIDE will support the development of trial work experience planning into the career development plan and IEP planning process. Such opportunities as summer employment, part-time employment and information about educational and training opportunities will be incorporated in planning. Coordination of youth services will follow the time frame and agency actions articulated in Transition Timeline.
- E. Supported employment placements whether a situational assessment, job try out and/or job placement will be in an integrated work setting that allows the

individual with I/DD to interact with non-disabled individuals during the performance of their job, (such as staff meetings, lunch and breaks), as well as company sponsored social events. Sheltered workshops, group enclaves, mobile work crews, internships and facility based day programs do not meet the criteria for this objective. All supported employment placements will be based on the individuals' interests, preferences, abilities and skills.

- F. Home based self-employment and/or individual's decisions to not participate in employment related activities must be based on the individual's informed choice and reviewed by the Consent Decree Monitor.
- G. A supported employment job placement refers to a job in an integrated setting, consistent with the interest, abilities and preferences of the individual with I/DD; compensation at least at minimum wage directly from the employer and access to interaction with non-disabled co-workers and supervisors.
- H. Job placement will consist of the maximum number of hours consistent with the individual's abilities and preferences. Their daily routine will be supplemented by integrated day activities up to a standard 40-hour per week structure. It is the State's intent that a portion of integrated day activities will enhance support and strengthen the individual's employment goals.
- I. The agencies will establish a variance process for individuals who make an informed decision not to participate in employment efforts. A choice for placement in a facility based work setting, group enclave, mobile work crew, internship or facility based day program will require going through the Variance process and the Monitor's approval.
- J. The agencies will develop a mechanism for access to and funding of Benefits Counseling. The State will enlist the Department of Justice to engage Social Security Administration on access to Benefit Counseling training opportunities and funding mechanisms.

V. INTEGRATED DAY SERVICES

- A. Adult Integrated day services and placements will complement individual's employment schedule, so that there are opportunities to enhance quality of life through social, religious, and peer support opportunities. These social activities

will be in addition to employment goals. As agencies are planning for employment and integrated social services both vocational and social areas will be addressed, though priority will be given towards employment efforts.

- B. The agencies will develop service models and supports to allow individuals with I/DD to participate in mainstream community activities such as recreational, social, educational, cultural, athletic, and when appropriate, retirement related activities. This will include volunteering and non-facility based activities. The activities will meet the standards of the Consent Decree.
- C. BHDDH will partner with statewide community-based programs to ensure individuals have access to such activities within their communities. These programs will include, but are not limited to the YMCAs, National & Community Service and local Universities and Colleges to develop pilot programs that can be replicated throughout the state.
- D. BHDDH will work with DDOs and Self Direct participants to ensure that there is flexible transportation, staffing and funding mechanisms to allow community integration.
- E. BHDDH has contracted with the Sherlock Center to provide guidance to Provider agencies on how to redefine day services and create sustainable business models.

## VI. CAREER DEVELOPMENT PLANNING

- A. The agencies will establish forms and procedures for the utilization of Career development Planning. ORS will use the content/outcomes of the Career Development Plans and incorporate into the development of the Individual Plan for Employment, (IPE). The Career Development Plan BHDDH will use is embedded in the Individual Service Plan, (ISP). The agencies will work with local education agencies (LEA) to develop a process for trial work experience through the individualized Career Development Plan. BHDDH and ORS will provide referral forms to the LEA in order for LEA to support students and families in the referral process at least two years prior to a student exiting school whenever possible. The agencies will assure that youth, who choose to work in the community prior to age 21 rather than remaining in school, if eligible, will have access to services. The agencies will develop and share a written practice

that outlines how BHDDH and ORS use the content and outcomes of the CDPs and person-centered planning process.

- B. ORS, through WIPA (Work Incentives Planning and Assistance), will work with RIDE, BHDDH, and stakeholders to coordinate group sessions that provide an overview of SSA Employment Incentives. BHDDH will establish policies and practices that address youth transition into the adult system between the ages of 18-21. The process will include clear, transparent and consistent communications with individuals, families and LEAs that address the application process and time line for eligibility, menu of services, and provider information and referrals. ORS will continue to work with the transitioning youth to provide short-term supported employment services and work collaboratively with BHDDH to ensure a seamless transition into the adult system for long term supports.

## VII. TRAINING

- A. The agencies will establish outcomes and criteria for “competency-based and value-based training” programs. The agencies will identify training programs specifically geared to I/DD for the elements involved in the CD: vocational assessment, discovery, career development, job coaching, transition planning, employment supports, variance process, benefits counseling, service coordination and person centered planning. These training programs will be a combination of webinars, college level courses and training workshops.
- B. The agencies will develop a training menu, identify training gaps and develop a plan of correction to be reviewed by the Monitor. All training will be conducted by trained professionals using competency based and evidenced based standards and practices. The trainings will be geared toward a variety of audiences, including, but not limited to individuals with I/DD, families, providers, teachers, social caseworkers, VR workers, and plan writers. BHDDH with the assistance of the Sherlock Center and the Supported Employment Leadership Network (SELN) will create a user friendly manual to provide guidance on the person centered planning process, the ISP and the variance process.
- C. It is the intent that any person providing services in the aforementioned area(s) complete the necessary training, attain and retain the required competencies, and

are otherwise qualified to perform their respective responsibilities with respect to employment and day services. Existing adult provider agencies will be required to ensure direct line staff are credentialed and new providers will be held to these standards moving forward. BHDDH & ORS will create a timeline for certifications to be obtained by provider staff and create a timeline for the trainings to be held. Providers wanting to be approved to provide any of the aforementioned services will need to document participation in these content areas for review by agencies.

VIII. IN-REACH, OUTREACH, EDUCATION

- A. The agencies have developed an In-reach, Outreach and Education Program that serves as a framework to support individuals, families/guardians, advocates, professionals and stakeholders in implementing the Rhode Island Employment First Policy. The agencies will work in collaboration with the Employment First Task Force to identify and discuss barriers, best practices and corrective actions to assure successful implementation of the Consent Decree on an as needed basis.

IX. PROVIDER CAPACITY

- A. Technical Assistance providers will work with the agencies to create competencies for job developers, job coaching, job retention and supported employment specialist. The agencies will encourage through regulations and guidance that all staff with responsibilities that include workforce development, job coaching and employment specialist be certified.
- B. The Sherlock Center on Disabilities will work with BHDDH and the Sheltered Workshop Conversion Institute to establish best practices and business models for converting center based service and employment programs to community based models that are person centered and individualized.
- C. The agencies will collaborate to create and replicate pilot service delivery models that maximize BHDDH, ORS, EN, and Medicaid funding. ORS AND BHDDH will work together to educate providers on how to maximize the use of funding from each of the respective agencies, so that the combination of these funding streams will be utilized in the most optimal way.



D. The agencies will work with national and local technical assistance providers to develop pre-qualification requirements for Supported Employment and Integrated Day Services. Qualifications will be vetted by each agency – BHDDH and ORS, in collaboration, and utilizing their specific agency guidelines and policies -- with providers and added to regulations, policies and/or contracts within 12 months of development. The agencies will establish transition incentives with the assistance of the Medicaid Division, OMB and the General Assembly.

X. INTERAGENCY COLLABORATION

- A. The agencies will utilize this agreement as a catalyst to identify the responsibilities, authority, and funding commitments of the agencies through an addendum to this agreement.
- B. The agencies agree to assign staff with the scope and authority to required interagency councils (such as the State Transition Council and the Consent Decree Executive Committee) as necessary to meet the obligations of the Consent Decree.
- C. The agencies will meet regularly, but no less than monthly and will use tools such as the Transition Timeline or similar document for guiding the work of the agencies. The agencies agree to review the implementation of the Transition Timeline on a quarterly basis to identify barriers and establish solutions.

XI. QUALITY IMPROVEMENT

- A. The agencies will develop a quality improvement initiative to ensure that Supported Employment Services, Supported Employment Placements, and Integrated Day Services provide the appropriate supports and are adequate and sufficient to achieve integration, increased independence, and increased economic self-sufficiency. The agencies will establish standards for transition planning and services, career development planning, benefits planning, Supported Employment Services, Integrated Day Services, and Supported Employment and Integrated Day-Only Placements and conduct site visits as necessary to review the quality and implementation of the Rhode Island Employment First Policy and the requirements of the Consent Decree.

XII. DATA COLLECTION AND REPORTING

- A. State agencies will establish protocols and processes for reporting data. Data sharing agreements will be developed amongst agencies to coordinate the sharing of data to improve employment outcomes for individuals with intellectual and developmental disabilities.

### XIII. PROCESS FOR RESOLVING DISAGREEMENTS

#### A. Administrative Consultation

- i. When RIDE, ORS and BHDDH cannot resolve disputes related to the implementation of the Cooperative Agreement or the delivery of services, the Administrator of ORS, RIDE Director of the Office of Student, Community & Academic Supports (OSCAS) and Director of Division of Developmental Disabilities (DDD) will review the dispute together to see if a resolution can be accomplished.
- ii. The Director of OSCAS, Administrator of ORS and Director of DDD will review the dispute related to the statutory obligations of each agency.
- iii. The Director of OSCAS, Administrator of ORS and Director of DDD will render a decision and inform all parties of the result and, if necessary, amend the Cooperative Agreement or other agreements or policies.
- iv. If the dispute is not resolved by the Director of OSCAS, Administrator of ORS and Director of DDD, the dispute will be reviewed with the RI Commissioner of Elementary & Secondary Education, Director of Human Services and the Director of Behavioral Healthcare, Developmental Disabilities and Hospitals.

#### B. Mediation

- i. In the event of an unresolved dispute, the matter may be referred for mediation if all parties agree to mediation.
- ii. A mediator acceptable to all parties will be designated and mediation initiated.
- iii. RIDE, ORS and BHDDH will equally share the costs of the mediation.

#### C. Arbitration

- i. Should mediation be unsuccessful in resolving the dispute, the parties may proceed to arbitration. If a matter, which has been mediated, proceeds to

arbitration, all communications and deliberations related to the attempted mediation shall not be admissible in the arbitration.

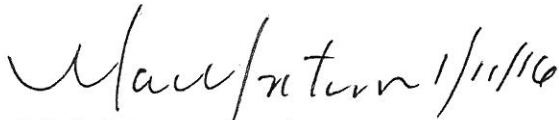
- ii. Arbitration through the American Arbitration Association is binding.
- iii. The rules and regulations of the American Arbitration Association that are in effect shall apply.
- iv. RIDE, ORS and BHDDH will share the cost of the arbitration equally.

XIV. This agreement will take effect upon signature of the respective agency directors.



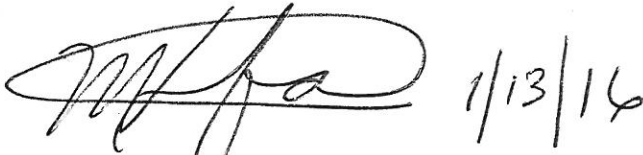
Ken Wagner, Commissioner

Rhode Island Department of Elementary & Secondary Education



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Rhode Island Department of Behavioral Health, Developmental Disabilities & Hospitals



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Rhode Island Department of Human Services