

MEMORANDUM OF AGREEMENT

**BETWEEN THE NORTH CAROLINA DEPARTMENT
OF HEALTH AND HUMAN SERVICES,**

DIVISION OF VOCATIONAL REHABILITATION SERVICES

AND

DIVISION OF SOCIAL SERVICES

I. Introduction

- 1.1. This Memorandum of Agreement (MOA) is entered by and between the Department of Health and Human Services, Division of Vocational Rehabilitation Services (hereinafter referred to as “NC DVRS”), and Division of Social Services (hereinafter referred to as “NC DSS”), for the purpose of providing vocational rehabilitation services for eligible customers with disabilities in the preparation for and obtaining employment services. This MOA is subject to the provisions of all applicable Federal and State laws, regulations, policies and standards.
- 1.2. The administrator for the NC DVRS will be Gwynn Crow, Chief of Program Support Services; 2801 Mail Service Center, Raleigh, NC, 27699-2801; 919-855-3557. The administrator for the NC DSS will be Sara Mims, Program Administrator for the Work First/Child Protective Services Policy and Data Management Team with the Family Support and Child Welfare Services Section; 2408 Mail Service Center, Raleigh, NC, 27699-2408; 919-733-3360.
- 1.3. This MOA may be terminated by either party upon at least 30 days' written notice or immediately upon notice for cause. This MOA may be amended, if mutually agreed upon, to change scope and terms of the MOA. Such changes shall be incorporated as a written amendment to this MOA.
- 1.4. The legal authority for this agreement is based upon the 1998 amendments to the Rehabilitation Act (P.L. 105-220); G.S. 143-545A through 143-548; G.S. 143-10; and G.S. 143 Article 3.
- 1.5. Both parties attest that they do not discriminate on the basis of race, color, national origin, sex, religion, age, or disability in employment of the provision of services as required by 34 CFR 76.500. Both parties to this agreement are currently in compliance with Title VI of the Civil Rights Act of 1964 and comply with the provisions of the Rehabilitation Act of 1973, as amended through 1998, the Workforce Investment Act (P.L. 105-220) including Sections 501, 503, and 504 to the extent applicable; the Individuals with Disabilities Education Act (P.L. 105-17); the Vocational Education Amendments (P.L. 101-392); and the

Americans with Disabilities Act (P.L. 101-336). Both parties comply with wage and hour regulations.

- 1.6. The NC DVRS finances the vocational rehabilitation program in the same manner as other functions of the NC DVRS by the use of State and Federal matching funds, as required under Title I of the Federal Vocational Rehabilitation Act. Financing the vocational rehabilitation program shall be on an annual budget basis to insure continuity of operations. To receive federal matching funds, the NC DVRS must provide State funds equal to the State's share of planned expenditures as specified in the Federal Act.
- 1.7. The NC DSS is dedicated to assisting and providing opportunities for individuals and families in need of basic economic support and services to become self-supporting and self reliant. In order to achieve that mission, the NC DSS strives to:
 - Ensure that children and adults are protected from abuse, neglect, exploitation
 - Enable citizens to maintain or achieve maximum self-sufficiency and personal independence through employment if possible
 - Strengthen family life in order to nurture children so that they may become productive, healthy, and responsible adults
 - Ensure that every family and individual has sufficient economic resources to obtain the basic necessities of life
- 1.8. North Carolina's social services system is supported by three levels of government; Federal, State, and County. Officially, North Carolina has a ***Federally Mandated, State Supervised, County Administered, Social Services System.***
- 1.9. Each of the 100 counties of North Carolina operates with a unique organizational structure that includes personnel policies. Laws and regulations are set at both the State and Federal levels.
 - County Government delivers the services and benefits
 - State Government provides oversight and support
 - Federal Government authorizes national programs and a majority of funding

II. Mutual Responsibilities

A. Interagency Collaboration

- 2.1. Maintain open communication and quarterly meetings on the state and local level to discuss the delivery of appropriate services for customers with physical or mental disabilities receiving Social Services.
- 2.2. Clarify state policies and procedures to eliminate barriers to the effective provision of services and successful outcomes.
- 2.3. Meet jointly to discuss the referral processes and mutual understanding of each agency's roles, services, vocabulary usage, limitations, and resources available to serve this population.
- 2.4. Encourage staff from both agencies locally to meet at least quarterly to staff cases, discuss ongoing inter-relationship issues, and continue the process for ongoing improvements in the delivery of services to customers. Attendance in these joint meetings may include staff from all applicable program areas, including Work First, Food Stamps, Child Welfare, LINKS, Independent Living, and Assistive Technology. The joint meetings should focus on what customers can do in order to open up the realm of possibilities and more successful outcomes. These local collaborative groups should add other disciplines to their workgroups as needed, including Local Management Entities, Community Colleges, Community Rehabilitation Programs, Social Security, Medicaid, and any other local resources when deemed necessary.

B. Referral Process

- 2.2.1 Referrals can flow from the local Department of Social Services to the local Division of Vocational Rehabilitation Services office, or vice versa, as needs are identified.
- 2.2.2 Formal referral process should be developed and in place, which includes feedback to the referring agency.
- 2.2.3. Utilization of existing assessment tools that focus on what the customer can do in relation to potential employment based on their skills and abilities. All customers who present a diagnosed or undiagnosed functional limitation (in the areas of communication, interpersonal skills, mobility, self-care, self-direction, work skills, or work tolerance) that may be a barrier to employment should be referred to the local Division of Vocational Rehabilitation Services office for rehabilitation services.
- 2.2.4. Referrals to the local Division of Vocational Rehabilitation Services may occur at any time from the point of intake throughout the customer's involvement with the local Department of Social Services. It is recommended that the local Department

of Social Services staff cases with the local Division of Vocational Rehabilitation Services prior to making a referral to Social Security.

- 2.2.5. Referral by NC DVRS staff to NC DSS should be made as soon as the need is identified. The NC DVRS staff may assess and refer a customer to DSS to make an application for Food Stamps, Work First or other Department of Social Services' services, including the LINKS program. If the local Division of Vocational Rehabilitation Services' staff suspects that a child may be abused or neglected, a mandatory Child Protective Services Report must be made to the county Department of Social Services.

C. Case Planning Goals and Services

- 2.3.1. Cooperation between agencies in securing coordinated services at the local levels for those customers being considered for, or recipients of, social and vocational rehabilitation services are recommended. Case management efforts will be made to prevent the duplication of services from partnering agencies.
- 2.3.2. Joint planning of services is a requirement for both agencies. Within the county Department of Social Services, case planning processes exist in all services programs, though under different names. In Work First, the case plans are called Mutual Responsibility Agreements (MRA). In Child Welfare, these plans are referred to as Family Services Agreements (FSA). Similarly, NCDVRS has a case planning process that results in the development of the Individualized Plan for Employment (IPE). Whenever possible, joint planning with the customer should occur for all of these plans. Each partner should share copies of these various plans with all parties involved within the policy guidelines outlined.
- 2.3.3. All parties involved should deliver services in a timely manner. Each program and agency may be required to meet different time frames. However, each agency and program should communicate and coordinate their activities in service delivery on the behalf of the customer whenever possible.

III. The NC DVRS agrees to:

3.1. Provide a program of vocational rehabilitation services to eligible individuals with disabilities referred by the NC DSS who want to obtain or maintain competitive employment. Services are based on individual needs which may include but not be limited to:

- Evaluation of work potential and skills;
- Guidance and Counseling;
- Physical or mental restoration;
- Durable medical equipment;
- Vocational or Postsecondary Training;
- Supported Employment Services;
- Work Adjustment Training;
- On-the-job Training;
- Placement Equipment and Tools;
- Job Development and Placement;

Support Services are:

- Assistive Technology Aids and Devices;
- Interpreting Services (American Sign Language & Foreign Languages);
- Transportation;
- Maintenance in the support of other rehabilitation services;
- Rehabilitation Engineering; or
- Modifications to home, vehicle, or job site.

3.2. Provide to the NC DVRS liaison staff program effective and appropriate supervision of the vocational rehabilitation activities.

3.3. Share statistical and fiscal reports with the NC DSS regarding the vocational rehabilitation program, as deemed necessary to maintain open communication and good administrative practices, and that are mutually agreed upon by both parties as being necessary.

3.4. Provide, within the limitations of available resources, case service funds necessary to the delivery of vocational rehabilitation services.

3.5. Determine the customer's eligibility for vocational rehabilitation services, including the nature and scope of those services. These determinations must be made by NC DVRS professional counseling staff and cannot be delegated.

3.6. Contact referred customers at the earliest possible time to initiate the process of providing vocational rehabilitation services. Appropriate feedback will be furnished to the referral source.

- 3.7. Use existing assessment data when appropriate. When necessary, supplementary assessments will be procured.
- 3.8. Complete a comprehensive evaluation on each eligible individual, to the degree necessary to determine the vocational goal and scope of vocational rehabilitation services to be included in the IPE.
- 3.9. Share consumer's specific information with appropriate local Department of Social Services personnel upon a duly executed Consent for Release of Confidential Information as specified in 34 CFR 361.38.
- 3.10. Provide vocational rehabilitation services as long as the consumer is cooperative in the completion of his/her Individualized Plan for Employment or until the consumer has achieved a successful employment outcome by being employed for ninety (90) days or more.

III. The NC DSS agrees to:

- 4.1. Encourage county Department of Social Services to provide adequate office space whenever possible that is accessible, private, and environmentally comfortable to both NC DVRS staff and customers with disabilities for confidential, individual counseling.
- 4.2. Provide supervision to the county DSS agencies to assure that all eligible customers who are receiving vocational rehabilitation services are provided those services that are available without cost to NC DVRS. Services that the NC DSS oversees and that the county Departments of Social Services provide to families include but are not limited to:
 - Work First Monthly Cash Assistance through Temporary Assistance to Needy Families (TANF) funds
 - Food Stamps
 - Benefit Diversion
 - Work First Services to families within the 200% poverty level
 - Emergency Assistance
 - Job Bonus
 - Case Management Services
 - Low Income Energy Assistance Program (LIEAP)
 - Transportation Assistance
 - Work Related Expenses
 - Participation Expenses-For the allowance of participation in Work First work activities.
 - Referrals, including referrals to Child Care, WIC services, Community Resources such as Employment Security Commission, Consumer Credit Counseling Service, Chamber of Commerce, Community Colleges and Centers for Employment and Training, Child Support Services, housing, Social Security, Health Support, In Home Aid Services, etc.
 - Child Protective Services
 - Child Placement Services
 - Adoption Services
 - LINKS Services for current and former youth in the Foster Care System
 - Intensive Family Preservation, Intensive Family Reunification, Adoption Promotion and Support, Family Preservation, and Family Support Services
- 4.3. Encourage county Department of Social Services agencies to share consumer's specific information with appropriate NC DVRS personnel upon a duly executed consent for release of confidential information.

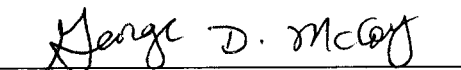
- 4.4. Encourage county Department of Social Services agencies to include NC DVRS staff in any Child and Family Teams or in multidisciplinary meetings that involve planning with mutual customers.
- 4.5. Involve NC DVRS in planning and policy discussions on issues that impact the population that NC DVRS serves.
- 4.6. Share research of federal and state law and policy that will affect NC DVRS and NC DSS collaboration in serving mutual populations.

North Carolina Department of Health and Human Services, Division of Social Services

BY: 
Director

DATE: 12/14/04

North Carolina Department of Health and Human Services, Division of Vocational Rehabilitation Services

BY: 
Director

DATE: 12-9-04