

Iowa Department for the Blind and Iowa Department of Education Interagency Agreement

I. Parties to the Agreement

This Interagency Agreement (Agreement) is between the Iowa Department for the Blind (IDB-VR) and the Iowa Department of Education (the Department).

II. Background

Both the Individuals with Disabilities Education Act (IDEA) (34 C.F.R. § 300.154(a)) and the Rehabilitation Act of 1973, as amended by the Workforce Innovation and Opportunity Act (WIOA) (at Section 101(a)(11)(D) and 34 C.F.R. § 361.22(b)) (the Rehabilitation Act) require State Educational Agencies (SEA) and Vocational Rehabilitation agencies (VR) to plan and coordinate transition services, as well as pre-employment transition services, for students with disabilities through a formal interagency agreement.

Each state receives federal funding to implement vocational rehabilitation programs for people with disabilities. 34 C.F.R. § 361.1. To receive this funding, each state must submit a vocational rehabilitation services portion of a Unified or Combined State Plan. 34 C.F.R. § 361.10. The federal regulations establishing these requirements permit states to delineate services between a state agency administering vocational rehabilitation services and another state agency that assists individuals who are blind. 34 C.F.R. §§ 361.10(b), 361.13(a)(3). In Iowa, these services are divided between Iowa Vocational Rehabilitation Services and IDB-VR. This Agreement addresses the separate responsibilities of IDB-VR and the Department.

Section 511 of the Rehabilitation Act requires states to provide pre-employment transition services (Pre-ETS), which includes required activities, coordinated activities, and authorized activities, as well as transition and employment-related services to people with disabilities.

IDB-VR and the Department share responsibility in preparing students with disabilities related to blindness or low vision for successful employment upon graduating or exiting high school. IDB-VR and the Department hereby define their relationship, including their respective roles and responsibilities to students with disabilities. This Agreement encompasses the respective and joint responsibilities of IDB-VR and the Department as it relates to providing Pre-ETS, transition and employment-related services as required by section 511 of the Rehabilitation Act and the IDEA.

III. Definitions & Purpose

a. **Definitions.** For the purposes of this Agreement, the following definitions apply:¹

- i. “Education Service Provider” means an Iowa Area Education Agency (AEA), Iowa Educational Services for the Blind and Visually Impaired (IESBVI), or any other agency providing contracted services on behalf of an AEA or IESBVI.
- ii. “Local Education Agency (LEA(s)),” means a school district in Iowa.

¹ As defined and used throughout this Agreement, these terms are consistent with but may not be identical to the definitions contained in federal regulations at 34 C.F.R. § 300 *et. seq.* See specifically 34 C.F.R. §§ 300.28 (defining local education agency); 300.43 and 361.5(c)(55) (describing transition services).

- iii. “Student with a Disability” or “Students with Disabilities” means an individual(s) with a disability related to blindness or low vision enrolled in secondary, postsecondary, or another recognized education program. The individual(s) is not younger than 14 years of age and not older than 21 years of age. The individual(s) is also eligible to receive services under IDEA or Section 504 of the Rehabilitation Act.
- iv. “Vocational Rehabilitation Services,” means Pre-ETS as well as additional services for individuals who have applied for or been determined eligible for Vocational Rehabilitation Services through IDB-VR, as defined in 34 C.F.R. section 361.48. Vocational Rehabilitation Services may also include assessment, disability related skills training, educational and vocational training, rehabilitation technology, job seeking skills training, and job placement services.
- v. “Transition Services” means a coordinated set of activities for a Student with a Disability that is designed to be within a results-oriented process focused on improving the academic and functional achievement of the Student with a Disability to facilitate that student’s movement from school to post-school activities. Transition services may be provided as special education or related services or as Vocational Rehabilitation Services.
- vi. A “Potentially Eligible Student” means an individual with a disability related to blindness or low vision between the ages of 14 and 21 who is in a recognized educational program receiving special education services under an Individualized Education Program (IEP), or who is covered under the provisions of Section 504 of the Rehabilitation Act, regardless of whether the student has applied for Vocational Rehabilitation Services. A Potentially Eligible Student has not been determined eligible for Vocational Rehabilitation Services but can participate in Pre-ETS.

b. Purpose.

The purpose of this Agreement is:

- i. To facilitate and coordinate the receipt of services required by law to Students with Disabilities to facilitate their smooth transition from school to post-school employment-related activities and competitive, integrated employment.
- ii. To serve as a mechanism for IDB-VR and the Department to clearly specify the plans, policies and procedures for coordinating services to facilitate the transition of Students with Disabilities.

IV. Outreach and Identification Procedures

IDB-VR and the Department will not share personally identifiable information protected by the Family Educational Rights and Privacy Act (FERPA) without first obtaining a signed authorization from the Student with a Disability or, if applicable, that student’s parent or legal guardian.

IDB-VR and the Department will work together to identify Students with Disabilities who may benefit from the delivery of Vocational Rehabilitation Services in the following ways:

- a. IDB-VR will employ vocational rehabilitation counselors specifically assigned to coordinate, identify students, and provide Vocational Rehabilitation Services, in collaboration with LEAs and Education Service Providers.
- b. IDB-VR and the Department will encourage LEAs and Education Service Providers to engage Students with Disabilities and their families in Vocational Rehabilitation Services, in coordination with IDB-VR counselors.
- c. IDB-VR will share its referral information with staff of LEAs and IEP teams to ensure that Students with Disabilities are referred to IDB-VR for Vocational Rehabilitation Services.
- d. IDB-VR and the Department will encourage LEAs and Education Service Providers to obtain the necessary signed consent from a Student with a Disability, or, if applicable, that student's parent or legal guardian, to enable the LEA or the Education Service Provider to share information about that student with IDB-VR. No information may be shared with IDB-VR absent a signed consent. A signed consent is also required for IDB-VR to release information about a Student with a Disability to the LEA and Education Service Providers. Referrals may be completed through:
 - i. IDB-VR's Online Referral Process,
 - ii. IESBVI's Statewide System Referral Process, or
 - iii. The Department's ACHIEVE Consent Form within the ACHIEVE IEP system.
- e. IDB-VR and the Department will encourage LEAs and Education Service Providers to help gather and submit the documentation required for IDB-VR to make eligibility determinations after a referral is submitted and the consent is signed.
- f. When the ACHIEVE Consent Form has been completed, IDB-VR must access the Student with a Disability's special education records via the ACHIEVE IEP system. A completed ACHIEVE Consent Form also authorizes LEAs and Education Service Providers to release all other education records, as that term is defined in 34 C.F.R. section 99.3, related to the student, regardless of how the records are stored or in what format they exist to determine eligibility and coordinate Transition Services. A completed ACHIEVE Consent Form also authorizes IDB-VR to share information and records regarding the student's eligibility and the coordination of Transition Services with LEAs and Education Service Providers.
- g. Annually, IDB-VR will send written notice to LEAs regarding the availability of Pre-ETS for Students with Disabilities.

V. Roles and Responsibilities Regarding Service Provision

IDB-VR and the Department define each agency's roles and responsibilities here, including provisions for determining the state lead agency and agency responsibility for providing transition-related services, to ensure coordinated service delivery, to eliminate the duplication of efforts and prevent supplanting services customarily provided by LEAs and Education Service Providers.

- a. IDB-VR will identify a single point of contact and provide contact information for the person assigned to provide Vocational Rehabilitation Services. This point of contact is typically the IDB-VR counselor assigned to an LEA or Education Service Provider.
- b. Upon receiving a referral for a Student with Disability, IDB-VR will:
 - i. Collaborate with LEAs, Education Service Providers, the student, or, if applicable, that student's parent or legal guardian, and other stakeholders to determine whether the student may receive Pre-ETS and/or may benefit for applying for Vocational Rehabilitation Services in accordance with applicable law and IDB-VR policy.
 - ii. IDB-VR retains authority to determine eligibility in its sole discretion. When possible and prudent, IDB-VR will collaborate with LEAs, Education Service Providers, the student, or, if applicable, that student's parent or legal guardian, and other stakeholders to gather the documentation required to make an eligibility determination.
 - iii. A Potentially Eligible Student may not receive any Vocational Rehabilitation Services other than Pre-ETS until they apply for Vocational Rehabilitation Services, are determined eligible, and have an approved Individualized Plan for Employment (IPE).
 - iv. Upon receiving an application for Vocational Rehabilitation Services, IDB-VR must complete an eligibility determination within 60 days, as described in 34 C.F.R. section 361.41(b)(2).
 - v. Upon determining the Student with a Disability is eligible for Vocational Rehabilitation Services, IDB-VR must develop an IPE in coordination with the student's IEP, within 90 days, unless an extension is approved, per 34 C.F.R. section 361.45(e).
 - vi. IDB-VR will provide the Vocational Rehabilitation Services necessary for an eligible Student with a Disability to obtain successful employment, as described in the student's IPE if the identified services are not customarily provided by the LEA or Education Service Provider.
- c. **Pre-ETS.** IDB-VR will collaborate with the Department, LEAs and Education Service Providers to provide Pre-ETS to Students with Disabilities in accordance with applicable law. Pre-ETS are provided based on individual need. The delivery of Pre-ETS includes Required Activities, Authorized Activities and Coordination, as each term is defined in 34 C.F.R. section 361.48.
 - i. IDB-VR may deliver Pre-ETS in a variety of ways to best meet the needs of the individual Student with a Disability and school team, in accordance with 34 C.F.R. section 361.48, and at no cost to the Department, LEAs, or Education Service Providers:
 1. Pre-ETS Required Activities may be delivered at the Student with a Disability's school or other community-based locations either individually or in groups.

2. Pre-ETS Required Activities may be delivered by IDB-VR counselors or other qualified vendors.
3. Online modules or web-based services, including video or audio-conferencing delivery systems, may be used to deliver Pre-ETS.
4. IDB-VR will provide auxiliary aids or services for a Student with a Disability if the device or service is required for the student to access or participate in Pre-ETS.
5. Attendance at IEP meetings when invited, with appropriate consent and as resources allow.
6. Collaboration on IPE development and Vocational Rehabilitation Services, including Pre-ETS, with consent as required.

d. Transition Planning.

- i. IDB-VR will provide technical assistance, training, and reference materials to LEAs, Education Service Providers and other stakeholders related to the provision of Vocational Rehabilitation Services, including Pre-ETS.
 - ii. IDB-VR will provide information and outreach to parents/guardian(s) and students regarding eligibility, vocational assessment for employment and postsecondary planning, and the Client Assistance Program.
 - iii. IDB-VR will consult with LEA and Education Service Providers on transition planning to prepare a student who is blind or has low vision to move from school to work or postsecondary education in accordance with the student's unique needs, strengths, resources, priorities, concerns, capabilities, interests and abilities, and informed choice as determined through the IEP process and provision of Pre-ETS.
 - iv. IDB-VR staff will attend and participate in regularly scheduled transition planning meetings when invited and as resources permit.
 - v. IDB-VR will coordinate services with non-educational agencies to support out-of-school youth who are blind or have low vision.
- e. IDB-VR will collaborate with the Department to develop and provide joint training for LEAs, Education Service Providers, and IDB-VR staff related to:
- i. Federal requirements or state identified initiatives as mutually agreed upon and resources allow.
 - ii. The role of IDB-VR and coordination necessary for referrals and subminimum wage certificates.
- f. The Department will serve as the lead agency responsible for assuring that Students with Disabilities receive a free and appropriate public education (FAPE).
- i. The Department's Secondary Special Education Program Consultant will be the single point of contact at the state level for collaboration in transition-related activities for LEAs and Education Service Providers.

- ii. The Department will share this Agreement within the agency, with LEAs and Education Service Providers and other stakeholders. This Agreement will be posted on the Department's public facing website.
- iii. The Department, in collaboration with IDB-VR, will provide professional development, reference materials and technical assistance to LEAs, Education Service Providers, families, and other stakeholders regarding the transition of Students with Disabilities from school to post-school employment-related activities. Topics addressed may include:
 - 1. The Rehabilitation Act and Vocational Rehabilitation Services.
 - 2. Best practices for collaboration among stakeholders.
 - 3. Delineation of responsibilities among LEAs, Education Service Providers and IDB-VR regarding transition-related services for Students with Disabilities.
- iv. The Department will encourage LEAs and Education Service Providers to support and encourage family members, parents, or legal guardians to complete referrals to IDB-VR as appropriate.
- v. The Department will encourage LEAs and Education Service Providers to provide physical space to facilitate providing Vocational Rehabilitation Services.
- vi. Employees of the Department, LEAs or Education Service Providers may develop and deliver content related to or constituting Vocational Rehabilitation Services at no cost to IDB-VR, but collaboration and consultation with IDB-VR is encouraged.

VI. Consultation and Technical Assistance

IDB-VR and the Department will provide consultation and technical assistance to help in planning for the transition of Students with Disabilities from school to post-school employment-related activities.

IDB-VR may provide consultation and technical assistance to the Department, LEAs and Education Service Providers through a variety of means, including team meetings, conference calls, video conferences, as well as shared in-person training opportunities. IDB-VR will engage in ongoing, statewide coordination and collaboration efforts in partnership with the Department and with support from national resources as needed. Both agencies will engage in on-going coordination and collaboration with Access for Special Kids (ASK) Resource Center, LEAs and Education Service Providers for ongoing outreach and training.

The Department will collaborate with IDB-VR to provide cross-training opportunities at the statewide level and encourage similar opportunities be shared and developed at the local level.

IDB-VR will share information to the Department on referrals, Pre-ETS services and employment outcomes of students who are blind or have low vision as requested, and as permitted by law and IDB-VR policies.

VII. Mechanism for Interagency Coordination

IDB-VR, LEAs and Education Service Providers may provide Comparable Services and Benefits (as defined in 34 C.F.R. section 361.5(c)(8)) to Students with Disabilities. IDB-VR staff will be encouraged to participate in the Local School Plan (LSP) process for buildings where Students with Disabilities are identified.

The LSP will serve as a written working agreement, unique to the needs of each LEA, that:

- a. Defines the responsibilities of each agency within a tiered system of support;
- b. Promotes the use of data-based decision making to support coordinated efforts between partner agencies;
- c. Facilitates the implementation of effective transition services, delivery of Pre-ETS and use of resources, eliminating the duplication of services; and
- d. Supports the development of an effective partnership that improves employment and postsecondary education outcomes for students with disabilities.

Nothing in this Agreement is to be construed as reducing the responsibility of LEAs and Education Service Providers under IDEA that are also considered to be special education or related services necessary for providing FAPE. If IDB-VR fails to provide transition services described in the IEP, the LEA or Education Service Provider must reconvene the IEP team to identify alternate strategies to meet the Student with a Disability's transition objectives as set out in the IEP.

The following joint procedures have been developed for IDB-VR and the Department to implement this Agreement:

a. Financial Responsibilities

IDB-VR will be responsible for Vocational Rehabilitation Services authorized by the Rehabilitation Act, including Pre-ETS for Potentially Eligible Students and Vocational Rehabilitation Services identified on IPEs for eligible Students with Disabilities. The Department will be responsible for ensuring a FAPE is made available to eligible students, including special education services identified in the IEP.

When a similar or identical special education or related service is identified by both IDB-VR and an LEA or Education Service Provider, responsibility will be determined as follows:

- i. If the identified Comparable Service and Benefit is special education or a related service and included in the Student with a Disability's IEP, the LEA or Education Service Provider must provide the service directly or through other sources, per 34 C.F.R. sections 300.103(c) and 300.324(c).
- ii. The LEA or Education Service Provider may request that IDB-VR provide an identified service. If IDB-VR determines the service is identified on the Student with a Disability's IPE, IDB-VR may assume the costs for the service.
- iii. If the Student with Disability's IEP team determines that the purpose of the identified service is more for educational attainment and the provision of FAPE, then the LEA would pay for the identified service.

- iv. IDB-VR must conduct a search for Comparable Services and Benefits when providing Vocational Rehabilitation Services. Notwithstanding, the following services are always exempt from such search: assessment for determining eligibility and vocational needs, counseling and guidance, referral services, job related services, rehabilitation technology, post-employment services and Pre-ETS and auxiliary aids and services.
- v. When assistive technology, goods or services are necessary for the provision of FAPE, the provision of such is the financial responsibility of the LEA or Education Service Provider. However, upon exit from high school, IDB-VR will evaluate the need for such devices for vocational and employment purposes. IDB-VR may either purchase existing devices from the LEA or Education Service Provider at the appropriate assessed value or purchase new devices for the individual as needed for employment identified in the IPE.
- vi. Nothing in this part will be construed to reduce the responsibility of the LEA or Education Service Provider to provide or pay for any transition services that are also considered special education or related services and that are necessary for ensuring a FAPE.
- vii. IDB-VR will provide auxiliary aids or services for a Student with a Disability if the device or service is required for the student to access one of the required Pre-ETS and no other public agency is required to provide such aid or service.

b. Interagency Disputes

Disagreements about which agency is responsible for payment for services may occur. Students with Disabilities or, if applicable, that student's parent or legal guardian are to be advised of their Procedural Safeguard Rights and options to file for State Mediation, Due Process, and/or a State Complaint per IDEA. If disagreements about financial responsibilities occur, IDB-VR and the Department agree to:

- i. Abide by an informal dispute resolution process for reimbursement for costs incurred by IDB-VR for interagency coordination, or for reimbursement for costs incurred by the Department or to otherwise implement this Agreement.
- ii. IDB-VR and the Department will educate LEAs and Educational Service Providers on each agency's respective financial responsibilities and encourage full participation in the interagency dispute process.
- iii. If IDB-VR or the LEA fails to provide or pay for services for which they have financial or legal responsibility, the dispute will be referred to the IDB-VR program administrator and the superintendent of the LEA. The program administrator and the superintendent, or their designees, will meet to resolve the interagency dispute. If the dispute cannot be resolved at this level, then the issue should be taken to the IDB Director and the Department's Secondary Special Education Program Consultant.
- iv. If the final decision is that one agency failed to provide or pay for services, then the other agency may claim reimbursement for services and shall be reimbursed by the other agency in a timely manner.

Nothing in this Agreement precludes a Student with a Disability or, if applicable, that student's parent or legal guardian or an individual with a disability over the age of 21 who retains standing from exercising their procedural safeguard rights for decisions made by the LEA or Education Service Provider under IDEA or exercising their right to appeal a decision made by IDB-VR under the Rehabilitation Act.

VIII. Limitations on Use of Subminimum Wage

Section 511 of the Rehabilitation Act prohibits employers with a Section 14(c) Certificate to pay subminimum wage to any individual with a disability aged 24 or younger, unless the employer has first verified that the individual has:

- a. Participated in transition services under IDEA or received Pre-ETS; and
- b. Applied for Vocational Rehabilitation Services (as follows); and
 - i. The individual was found ineligible, OR
 - ii. The individual was found eligible, AND
 - 1. had an IPE,
 - 2. worked toward an IPE employment outcome for a reasonable period without success, AND
 - 3. The case was closed.
 - iii. Regardless of the eligibility decision made concerning Vocational Rehabilitation Services, IDB-VR provided career counseling and referrals to programs and services in that individual's area designed to support movement toward competitive integrated employment.

IDB-VR must provide documentation to an individual with a disability requesting verification that the requirements needed for subminimum wage employment (described above) are met no later than 45 calendar days after completion of the activities required or no later than 90 days when extenuating circumstances apply, as required by 34 C.F.R. section 397.40(d).

The Department will encourage LEAs and Education Service Providers to provide IDB-VR documentation that the student has completed transition services or received Pre-ETS when seeking subminimum wage employment, as required by 34 C.F.R. section 397.30. Documentation should be provided to IDB-VR staff no later than 30 calendar days upon completion of each required action or 60 days when extenuating circumstances apply.

These subminimum wage requirements will be shared by IDB-VR and the Department to LEAs, Education Service Providers, Students with Disabilities, or, if applicable, that student's parent or legal guardian and other stakeholders. IDB-VR will retain documentation needed to verify the above requirements consistent with federal law.

In accordance with Section 511 of the Rehabilitation Act, the Department, LEAs, and Education Service Providers are not to enter into a contract or other arrangement with an agency for the purpose of operating a program under which a youth with a disability is engaged in work compensated at a subminimum wage.

IX. Amendments

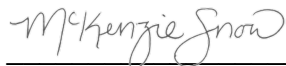
This Agreement may be amended at any time upon mutual consent of the parties. Any amendment must be in writing and signed and dated by the parties.

X. Term

This Agreement shall be effective from the Date of Final Signature, to September 30, 2029. The parties, upon mutual consent and in writing, may renew this Agreement for one three-year extension.

XI. Approvals and Signatures

Department of Education



McKenzie Snow, Director

Aug 14, 2026

Date

Iowa Department for the Blind



Stacy L Cervenka (Aug 12, 2026 12:51:14 CDT)

Stacy Cervenka, Director

Aug 12, 2026

Date