

UNITED STATES DEPARTMENT OF EDUCATION{PRIVATE }  
OFFICE OF SPECIAL EDUCATION AND REHABILITATIVE SERVICES  
REHABILITATION SERVICES ADMINISTRATION  
WASHINGTON, DC 20202

INFORMATION MEMORANDUM  
RSA-IM-00-09  
DATE: December 17, 1999

ADDRESSEES: STATE VOCATIONAL REHABILITATION AGENCIES (GENERAL)  
STATE VOCATIONAL REHABILITATION AGENCIES (BLIND)  
STATE REHABILITATION COUNCILS  
CLIENT ASSISTANCE PROGRAMS  
PROTECTION & ADVOCACY OF INDIVIDUAL RIGHTS  
PROGRAMS  
REGIONAL REHABILITATION CONTINUING EDUCATION  
PROGRAMS  
AMERICAN INDIAN VOCATIONAL REHABILITATION  
PROGRAMS  
RSA SENIOR MANAGEMENT TEAM

SUBJECT: A Guide for Developing Memoranda Of Understanding with Local  
Workforce Investment Boards as Required by the Workforce Investment  
Act

CONTENT: The Workforce Investment Act (WIA) requires the local board, with the  
agreement of the chief local official, to develop and enter into a  
memorandum of understanding (MOU) concerning the operation of the  
one-stop delivery system in the local area. While WIA prescribes certain  
provisions to be present in all MOU's, additional items of agreement can  
be added to the core MOU as circumstances warrant.

This Information Memorandum transmits a "Memorandum of  
Understanding Framework Guide." The guide is designed as a framework  
for negotiations in the development of the MOU. Components were drawn  
from the WIA requirements for a memorandum of understanding [20 CFR  
Part 662.300, What is the Memorandum of Understanding?]. The Guide  
contains additional items not required by WIA to be included in the MOU;  
but they are recommended, based on standard practice and other statutory  
requirements of relevant legislation and implementing regulations,  
including the Rehabilitation Act of 1973, as amended (the Act); the  
Americans with Disabilities Act; and, 20 CFR Part 37. While the MOU is  
not designed to meet all legislative requirements, partners must assure that  
agreements are consistent with all applicable statutory and regulatory

requirements. The components listed in this guidance are neither inclusive nor exclusive.

Supplementary guidance for the development of the listed components may be found in draft WIA implementation policy papers developed by Rehabilitation Services Administration and Council of State Administrators of Vocational Rehabilitation.

If you have any questions concerning the MOU Guide, please call Ms. Roseann Ashby, Chief of Basic State Grants Branch, at 202-245-7488 or Mr. Charles Sadler at 202-205-9286.

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Fredric K. Schroeder, Ph.D.  
Commissioner

Attachment

cc: NATIONAL COUNCIL ON INDEPENDENT LIVING  
COUNCIL OF STATE ADMINISTRATORS OF VOCATIONAL REHABILITATION  
NATIONAL ASSOCIATION OF PROTECTION AND ADVOCACY SYSTEMS  
NATIONAL REHABILITATION FACILITIES COALITION

# Memorandum of Understanding

## Framework Guide

### I. Purpose

Recommended: Not addressed in WIA; however, a statement of purpose is standard practice.

Suggested language: *The purpose of this memorandum of understanding (MOU) is to define the manner in which the State vocational rehabilitation (VR) program will participate in the One-Stop Delivery System.*

### II. Period

Required: See 20 CFR 662.300(b)

- A. Specify the duration of the Agreement
- B. Define procedures for review, amendment and extension
- C. Specify termination provisions
- D. Specify procedure for resolution of differences regarding MOU

### III. Provision of Services

Required: See 20 CFR 662.300(b), "The MOU must cover services to be provided through the One-Stop Delivery System."

- A. Types of Services
- B. Eligibility Criteria
- C. VR Program Decisions
- D. Specify Complaint Procedures for Participants:

Recommended:

1. Due Process: See Section 102(c) of the Act, "... procedures for mediation of and procedures for review through an impartial due process hearing of determinations made by personnel of the designated State unit..."
2. Complaint procedures for One-Stop Delivery System participants (20 CFR Part 37)

#### **IV. Cross-Informational Training**

Recommended: See Section 101(a)(11)(A)(i) of the Act, “The agreement may provide for provision of inter-component staff training and technical assistance...”

#### **V. Referral Methods**

Required: See 20 CFR 662.300(b), “The MOU must cover methods for referring individuals between the one-stop operators and partners.”

#### **VI. Universal Access/Accessibility**

Recommended: See Section 101(a)(11)(i)(II) of the Act, “The agreement may provide for the promotion of equal, effective and meaningful participation by individuals with disabilities...through program accessibility...reasonable accommodations, auxiliary aids and services...and rehabilitation technology.”

#### **VII. Organizational Requirements**

Recommended: See 20 CFR 662.200, “Who are the required one-stop partners?” and 34 CFR 361.13(b) and (c).

A. Describe Local Chief Elected Officials’, Local Workforce Investment Boards’ (LWIB), and Partner Agencies’ relationships and responsibilities.

B. Provide a clear statement of VR supervisory requirements.

#### **VIII. Confidentiality**

Recommended: See 34 CFR 361.38

A. Personal Information

B. Privacy

C. Aggregation of Data

#### **IX. Accountability**

Recommended: See Section 106(a)(1)(c), Evaluation Standards and Performance Indicators, “...to the maximum extent practicable, the standards and indicators shall be consistent with the core indicators of performance established under Section 136(b) of WIA.”

A. WIA Performance Indicators

B. Describe any exchange of data; for example, what can be shared, and how?

C. VR Performance Data

## **X. Funding**

Required: See 20 CFR 662.300(b), “The MOU must cover the funding of services and operating costs of the system.”

A. VR Funds –Restrictions and Exclusion from Participation

B. Operating Costs (Direct, Indirect, Who pays)

C. State Conditions for Financing Core Services

D. Purchase of Services from One-Stop Delivery System partners

E. Cost allocation

1. Methodology
2. Approval and Modification Process
3. Accounting and Reporting

## **XI. Signatures**

**Attachments** could be used for glossary of terms, Independent Living Center agreements, details of items too complicated for body of document, etc.