

Cooperative Agreement

I. Introduction

A. Parties Involved

The Department of Workforce Development, Division of Vocational Rehabilitation and Menominee Indian Tribe of Wisconsin through the College of Menominee Nation (collectively, the Parties).

B. Purpose

This agreement is established between the Department of Workforce Development, Division of Vocational Rehabilitation (hereinafter referred to as DWD-DVR or DVR) and the Menominee Tribal Vocational Rehabilitation Program administered through the College of Menominee Nation (hereinafter referred to as CMN MVR) to enhance, to the greatest extent possible, the provision of vocational rehabilitation services to eligible American Indians with disabilities who live on or near the Menominee Tribal Reservation. Per the regulations of Section 121, the phrase "on or near" shall be more specifically defined by the CMN MVR and shall hereinafter be referred to as the CMN MVR Services Area.

DVR has the responsibility to provide vocational rehabilitation services to all eligible persons present in the State of Wisconsin. CMN MVR is the recipient of a "Section 121" grant with the US Department of Education, Rehabilitation Services Administration, which enables them to provide vocational rehabilitation services to American Indian individuals with disabilities residing within the CMN MVR Service Area. These shared responsibilities create the potential for duplication of services and efforts. The Rehabilitation Act of 1973, as amended, requires that the State shall enter into a Cooperative Agreement with recipients of grants for services to American Indians to clarify issues and areas of potential conflict or duplication. Because of the long and historical relationship that exists between the DVR and the Menominee Indian Tribe of Wisconsin, this is seen as a renewal of the Agreement for collaboration, cooperation and coordination which outlined the provision of services to disabled American Indian consumers, who reside within the tribally defined CMN MVR Services Area. This agreement will be renewed every five years according to CMN MVR's grant cycle.

II. Joint Agreement

The Parties Mutually Agree

- A.** To have bi-annual meetings between the staff of DVR and CMN MVR for the purpose of collaborating in delivering services to qualified applicants and consumers.
- B.** To cooperate in the operation of a system of service provision which ensures a smooth interface and sharing of cases and information between DVR and CMN MVR.

- C.** The primary responsibility for serving American Indian consumers living within the CMN MVR Service Area will be the CMN MVR. The CMN MVR may refer eligible American Indian consumers living in the CMN MVR Service Area to DVR if referral is mutually agreeable and will allow the consumer to access resources that are not available through CMN MVR so the consumer may use those resources for a successful employment outcome. DVR may also refer eligible American Indian consumers to CMN MVR if such referrals will enhance the opportunities for an employment outcome for the consumer.
- D.** Each program will request that eligible consumers sign a release of information to allow the Parties to share specific case information for the coordination of services.
- E.** That in situations identified in C above, each party will maintain separate case files on joint consumers during service delivery. All appropriate and necessary documentation and information will be maintained and shared by each party.
- F.** That CMN MVR will have primary responsibility for funding of all eligible American Indian consumers living within the designated CMN MVR Service Area and DVR will have responsibility for funding eligible American Indian consumers living outside of the designated CMN MVR Service Area. CMN MVR and DVR will work jointly and collaboratively to ensure that no obstacles interfere with the provision of vocational rehabilitation services.
- G.** That the determination of eligibility, Individualized Plan for Employment (IPE) development and implementation is the sole responsibility of CMN MVR for individuals residing within the CMN MVR Service Area. American Indians with disabilities living outside of the designated CMN MVR Service Area will have their eligibility, IPE development and implementation completed by DVR.
- H.** That DVR and CMN MVR may take credit for action on a case, and each may close the case successfully if each has provided significant services leading to an appropriate employment outcome.
- I.** That resources of both Parties are available to ensure that the case is properly managed. See F above.
- J.** That individuals served by DVR and CMN MVR shall be informed about their right to make informed choices. Individuals who require or request assistance in exercising informed choice shall be offered support services to assist them in this process.
- K.** To develop and participate in joint training, to participate in cooperative statewide studies and needs assessments, and to work collaboratively in

efforts to improve the provision of services to American Indians with disabilities.

- L. To safeguard all consumer personal information and records to prevent the inadvertent or unintentional disclosures. The applicable authorities for confidential information at the time of this Agreement are 34 CFR § 361.38 and Wis. Admin. Code Ch. DWD 68.

III. DVR Agrees To:

- A. Provide annually the number of jointly enrolled consumers.
- B. Provide technical assistance and consultation regarding case service issues and documentation requirement to CMN MVR.
- C. Utilize information from CMN MVR, with a release of information, when able to, for determination of DVR eligibility.
- D. Assign DVR counseling staff as liaison to the CMN MVR, and to provide direct services to CMN MVR referred consumers.
- E. Continue to provide training to DVR counselors and specifically, it's liaison counseling staff, so that referrals from CMN MVR will follow the VR process. Promote additional training to DVR staff on American Indian cultural issues and concerns to promote sensitivity to the special needs of this consumers' population.

IV. CMN MVR Agrees To:

- A. Utilize a service delivery system similar to the system used by DVR. This will assure the provision and transition of services for joint consumers and be responsible to reporting requirements under the Section 121 grant criteria.
- B. As part of CMN MVR outreach efforts, non-tribal, disabled consumers who reside within the CMN MVR Service Area who may be eligible for Vocational Rehabilitation Services will be referred to DVR.
- C. Seek technical assistance from DVR as appropriate.
- D. Provide cultural sensitivity, and other culturally relevant training on issues of concern to American Indians to DVR liaison, and other staff.

We accept the statements above as defining the working relationship between DVR and CMN MVR in the provision of vocational rehabilitation services to American Indians with disabilities.

For DVR:

Delora Newton

DVR Administrator:

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Delora Newton

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Date: 2/16/2023

For DWD:

Deputy Secretary:

DocuSigned by:

Pamela McGilivray

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Date: 2/16/2023

For CMN MVR:

Gena Kakkak

Chairperson, Menominee Nation:

Gena Kakkak

Date: 2/17/23