

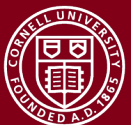
Partnering for Disability Employment: Drafting Effective Interagency Agreements

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Working Together: Advancing Disability Inclusion in NYS Workplaces

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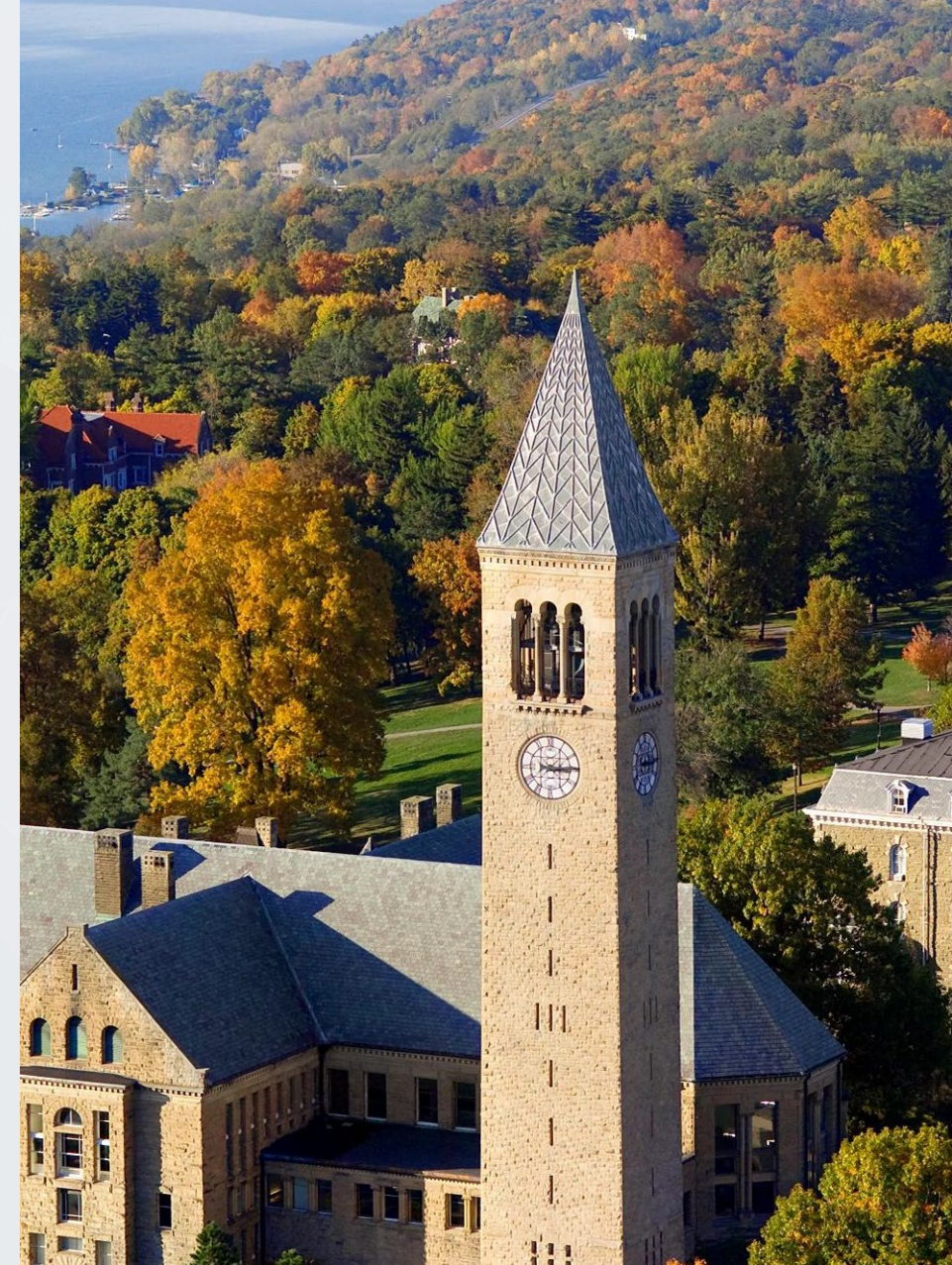
ILR School

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About the Institute

The Yang-Tan Institute works to advance the inclusion and full participation of people with disabilities in the workplace and community. Our research, training, and technical support expands knowledge about disability inclusion, leading to positive change.

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Cornell University overlooking Cayuga Lake in the fall, from the air.

Topic

How can formal interagency agreements improve service coordination and employment outcomes for people with disabilities?

Introductions

Please share your:

- Name
- Agency
- Role



Together, we will...

1. Discuss different levels of interagency collaboration
2. Describe key elements of effective collaborative agreements
3. Review types of formal agreements
4. Practice drafting an MOU

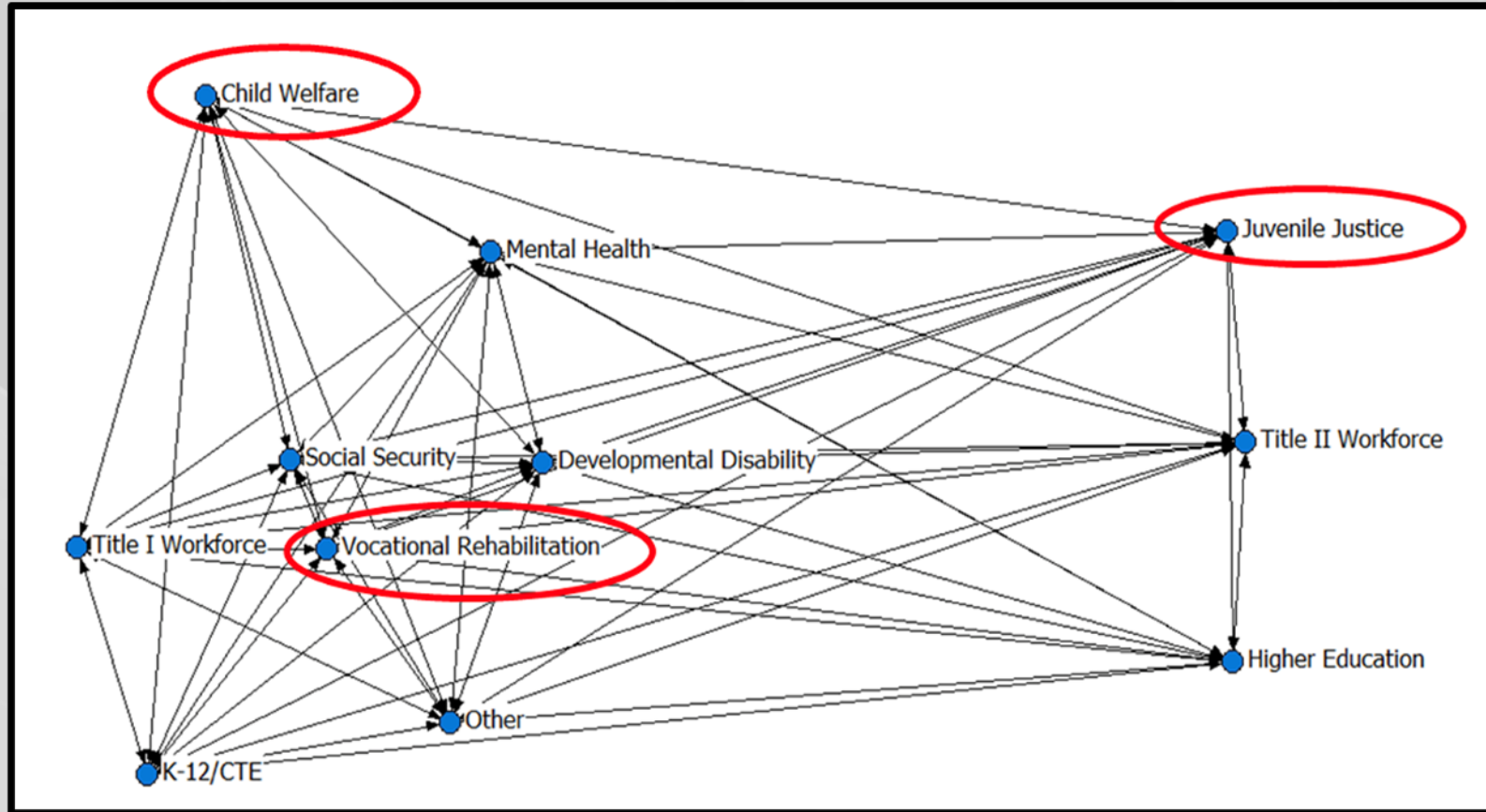
Defining collaboration

Collaboration can mean many things. What type of collaborations help improve outcomes for people with disabilities?¹

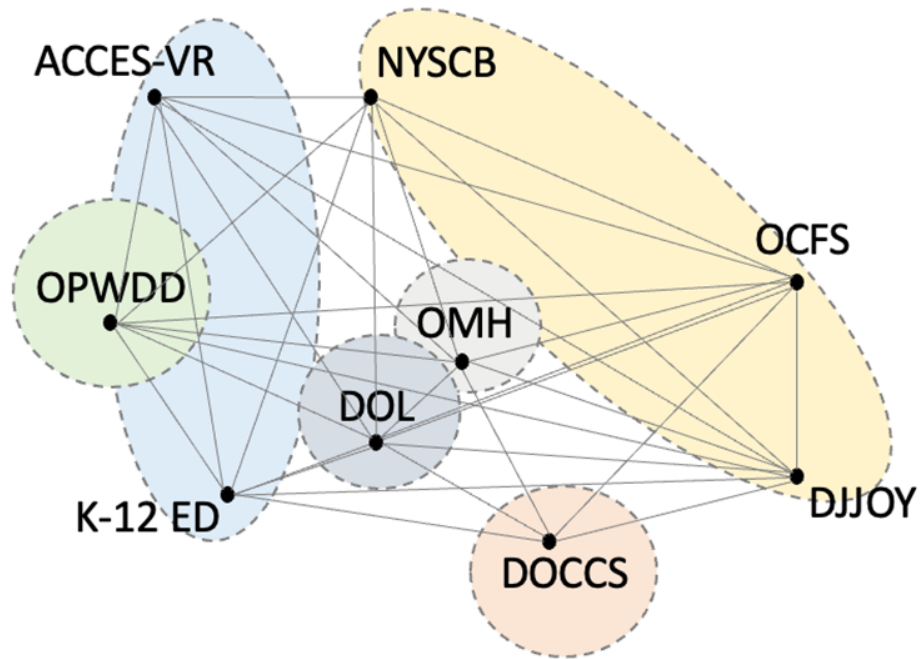
Research: agencies should focus on **essential elements** like frequently communicating, sharing resources, and role clarity.^{2, 3}

Well-crafted formal agreements that include these elements support improved outcomes for people with disabilities.

Collaboration Gaps: National



Collaboration Gaps: NYS

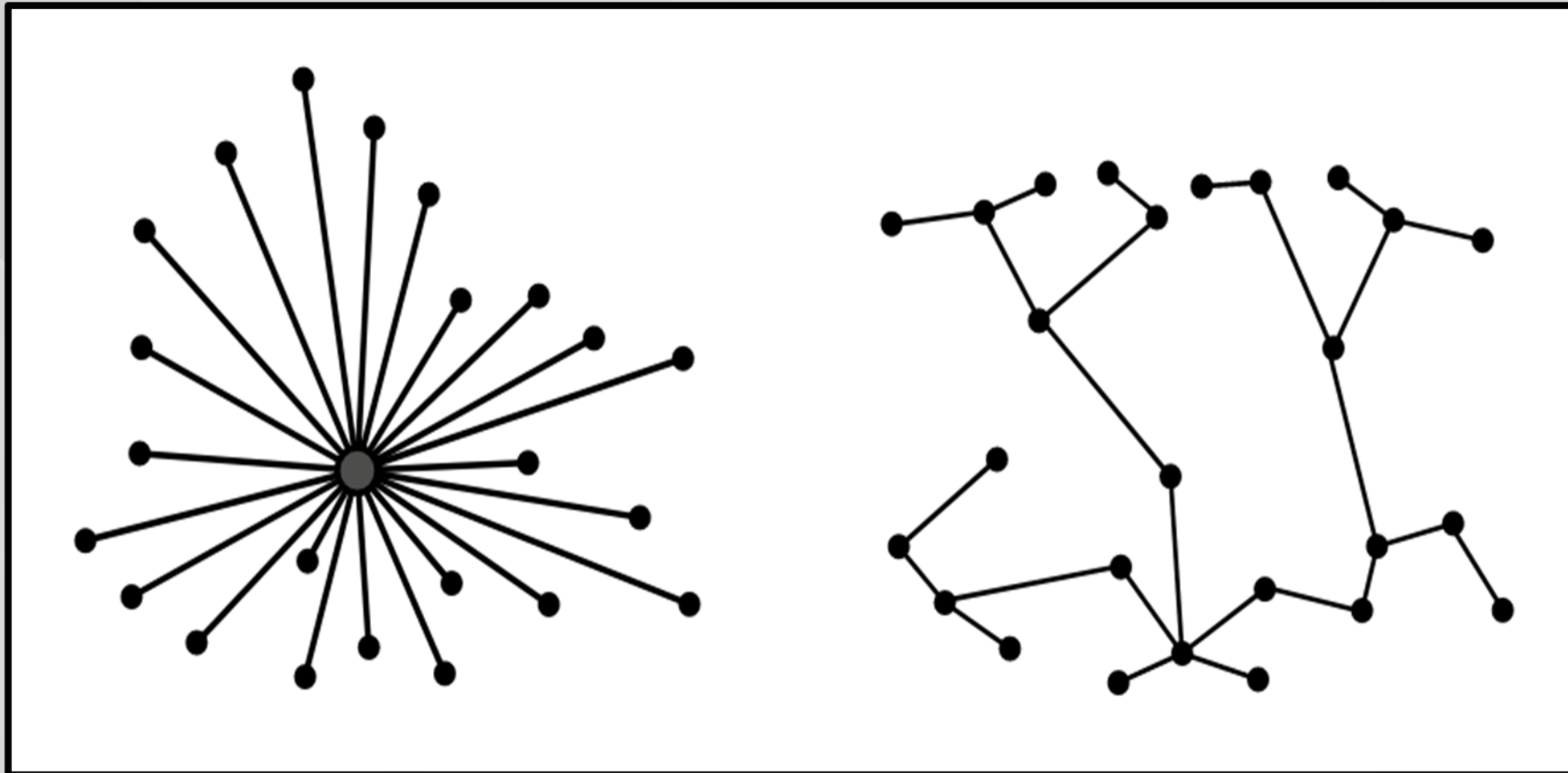


Example: only 0.3% of VR referrals in NYS come from justice agencies.

What does your local network look like?

Decentralized Network

Centralized Network



Group Activity

- As we talk, draw your local network on a white board provided.
- Each dot, or “node” is a different partner organization. Place your agency at the center of the diagram.
- Place partners you work with *frequently* closer to you, partners you work with less frequently farther away.

You can keep this private or share with the group.

“Levels of Collaboration”

0	No interaction	-
1	Networking	Aware of organization, loosely defined roles, little communication, independent decision making
2	Cooperation	Provide information, roles somewhat defined, formal communication, independent decision making
3	Coordination	Shared information/resources, defined roles, frequent communication, some shared decision making
4	Coalition	Share ideas, information, & resources, frequent/priority communication, all members have vote in decisions
5	Collaboration	One system, frequent/trusting communication, consensus

WIOA Context

Under WIOA regs, MOUs are required between LWDBs and required system partners providing services in the area ([20 CFR § 678.500](#)). MOU must include:

- Description of services including how services will be coordinated/delivered
- Agreement on funding cost of services/operating costs (one-stop infrastructure and shared services)
- Method for referring individuals between one-stops and partners
- Method to ensure that the needs of clients are addressed, including access to technology and materials
- Duration of MOU, procedures for amending, and review/renewal every 3 years.

Did you know?

“Policy” is often mischaracterized to only include laws, regulations, state/federal guidance, etc.

- This is only part of the picture
- All agencies, local offices, collaborators have written and unwritten rules that drive daily activities
- Organizational policies matter too...MOUs create policy
- Frontline and supervisor staff also develop practices that may become widespread and conventional

Impact to frontline staff

Our research shows that state policy doesn't always trickle down.

Quotes from our focus groups with practitioners

“Collaborations on the frontline are completely different... You talk to my boss and the information is one thing... by the time it trickles down, if it does, the message is completely different.”

“MOUs need to be developed, but we get these benchmarks, this is what you are looking to do, the scope of work [isn't clear]... I think some MOUs are missing the reality piece of it.”

“Sometimes MOUs exist but are just so states can ‘check a box’ for their state plans. They don't have clear goals and aren't well written.”

Group Discussion

- What agencies do you have formal agreements with?
- What type of agreement is it?
- What attributes of the agreement help make it effective or could make it more effective?
- What agencies do you wish you had agreements with? Why?
- How might you begin to create agreements with these agencies?

Types of Agreements

The type of agreement you choose matters.

Memoranda of Understanding (MOUs) usually “outline mutual goals and general terms of an understanding.” ⁴

Memoranda of Agreement (MOAs) “specify more concrete terms, responsibilities, and roles of each party.” ⁴

The difference between **MOUs/MOAs** and **Contracts** is that the former do not create legal obligations resulting in liability. ⁴

How to engage

Getting feedback and buy-in from staff

Making sure your partners are engaged

Unequal “bargaining” from one partner to the agreement can come back to bite later!

Are the processes outlined in the agreement feasible? Are they practical for frontline staff to implement?

MOUs

Effective MOUs aim to prevent misunderstandings and disputes by clarifying partner expectations.⁵

Standard **content** of an MOU:

1	Overall Intent	5	Disclaimers
2	Parties Involved	6	Financial Arrangements
3	Time Period	7	Risk Sharing
4	Assignments/Responsibilities	8	Signatures

MOUs

According to federal guidance, some questions to ask at the outset:⁶

1	For what capability or resource is the MOU being created?
2	What agencies are participating in the MOU?
3	Why is the MOU necessary?
4	What agreements are set forth in the MOU?

MOUs

Effective MOUs aim to prevent misunderstandings and disputes by clarifying partner expectations.⁶

Standard **structure** of an MOU:

1	Introduction	6	Procedure Requirements
2	Purpose	7	Resource Sharing/Maintenance
3	Scope	8	Oversight
4	Definitions	9	Standard Operating Procedures
5	Policy	10	Updates, Conclusion

Common MOU Pitfalls (1)

Common “Pitfalls” in MOU drafting

1. Lack of Clarity in Purpose and Scope
2. Ambiguous Roles and Responsibilities
3. Insufficient Detail on Resource Sharing
4. Vague Timelines
5. Inadequate Conflict Resolution Mechanisms
6. Overlooking Legal or Regulatory Compliance

Common MOU Pitfalls (2)

- 7. Non-Binding Language Confusion
- 8. Inadequate Provisions for Amendments
- 9. Failure to Address Termination Conditions
- 10. Poor Communication Among Stakeholders
- 11. Insufficient Detail on Evaluation and Monitoring
- 12. Overloading the MOU with Legal Jargon

Group Work: MOU

“Introduction/Purpose”

In small groups of 4-5, draft a hypothetical MOU “Introduction” and “Purpose” section

1	For what capability or resource is the MOU being created?
2	What agencies are participating in the MOU?
3	Why is the MOU necessary?
4	What agreements are set forth in the MOU?

Activity: Ask it Basket

When I think about collaborating with others to advance the workplace inclusion of New Yorkers with disabilities, one question or concern I have is...



Resources

Promoting Competitive Integrated Employment through MOU's and Other Inter-agency/-departmental Agreements

Georgia Tech University, Office of General Counsel, Memorandums of Understanding (MOUs)

U.S. Department of Homeland Security, Writing Guide for Memoranda of Understanding

Nonprofit Risk Management Center, Draft A Memoranda of Understanding

Workforce GPS, Sample MOU and Infrastructure Costs Toolkit

Thank You!

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