

**Off. of Spec. Educ. and Rehab. Services, Education**

**§ 361.26**

under paragraph (a)(1) of this section must describe strategies for collaboration and coordination in providing vocational rehabilitation services to American Indians who are individuals with disabilities, including—

(i) Strategies for interagency referral and information sharing that will assist in eligibility determinations and the development of individualized plans for employment;

(ii) Procedures for ensuring that American Indians who are individuals with disabilities and are living near a reservation or tribal service area are provided vocational rehabilitation services; and

(iii) Provisions for sharing resources in cooperative studies and assessments, joint training activities, and other collaborative activities designed to improve the provision of services to American Indians who are individuals with disabilities.

(d) *Reciprocal referral services between two designated State units in the same State.* If there is a separate designated State unit for individuals who are blind, the two designated State units must establish reciprocal referral services, use each other's services and facilities to the extent feasible, jointly plan activities to improve services in the State for individuals with multiple impairments, including visual impairments, and otherwise cooperate to provide more effective services, including, if appropriate, entering into a written cooperative agreement.

(Approved by the Office of Management and Budget under control number 1820-0500.)

(Authority: Sections 12(c) and 101(a)(11)(C), (E), and (F) of the Act; 29 U.S.C. 709(c) and 721(a)(11) (C), (E), and (F))

EFFECTIVE DATE NOTES: 1. At 66 FR 7253, Jan. 22, 2001, §361.24 was amended by adding “(Approved by the Office of Management and Budget under control number 1820-0500)”, effective Oct. 1, 2001.

**§ 361.25 Statewideness.**

The State plan must assure that services provided under the State plan will be available in all political subdivisions of the State, unless a waiver

of statewideness is requested and approved in accordance with §361.26.

(Approved by the Office of Management and Budget under control number 1820-0500.)

(Authority: Section 101(a)(4) of the Act; 29 U.S.C. 721(a)(4))

EFFECTIVE DATE NOTES: 1. At 66 FR 7253, Jan. 22, 2001, §361.25 was amended by adding “(Approved by the Office of Management and Budget under control number 1820-0500)”, effective Oct. 1, 2001.

**§ 361.26 Waiver of statewideness.**

(a) *Availability.* The State unit may provide services in one or more political subdivisions of the State that increase services or expand the scope of services that are available statewide under the State plan if—

(1) The non-Federal share of the cost of these services is met from funds provided by a local public agency, including funds contributed to a local public agency by a private agency, organization, or individual;

(2) The services are likely to promote the vocational rehabilitation of substantially larger numbers of individuals with disabilities or of individuals with disabilities with particular types of impairments; and

(3) For purposes other than those specified in §361.60(b)(3)(i) and consistent with the requirements in §361.60(b)(3)(ii), the State includes in its State plan, and the Secretary approves, a waiver of the statewideness requirement, in accordance with the requirements of paragraph (b) of this section.

(b) *Request for waiver.* The request for a waiver of statewideness must—

(1) Identify the types of services to be provided;

(2) Contain a written assurance from the local public agency that it will make available to the State unit the non-Federal share of funds;

(3) Contain a written assurance that State unit approval will be obtained for each proposed service before it is put into effect; and