

July 26, 2010

Marin County Board of Supervisors
3501 Civic Center Drive
San Rafael, CA 94901

SUBJECT: Health & Human Services Department, Community Mental Health Services Division: Request for Approval of an Agreement with the Marin Special Education Local Planning Area (SELPA) on behalf of its member school districts.

Dear Supervisors:

RECOMMENDATION: The Department of Health and Human Services, Division of Community Mental Health Services requests approval of the attached Memorandum of Understanding between the County of Marin and the Marin SELPA in order to continue providing mental health services to children with serious emotional disturbances.

SUMMARY: Until 1984, local school districts provided mental health services to special education pupils who needed the services to benefit from their Individualized Education Programs (IEP). In 1984, the Legislature assigned county mental health departments the responsibility for providing students these services (Chapter 1747, Statutes of 1984 [AB 3632, W. Brown]), except students placed out of state. In 1996, the Legislature expanded county responsibilities to include services to students placed in out-of-state schools (Chapter 654, Statutes of 1995 [AB 2726, Woods]). This program has generally been known as the AB 3632 Program after the enabling legislation. Hereafter the program will be called Educationally Related Mental Health Services (ERMHS).

In October of 2010 Governor Schwarzenegger vetoed the state funds that reimbursed the counties for providing these services and declared that the mandate on county mental health services for provide these services suspended. The fiscal year 2011-12 budget signed by Governor Brown has once again made these federally mandated services the responsibility of the local school districts, as they were prior to 1984. The administration believes transferring the responsibility to schools is a better option for both policy and fiscal reasons. The schools will be responsible for the costs of all out of home placements costs for eligible children in this new arrangement.

COMMUNITY BENEFITS: The Board's approval of this resolution will allow Community Mental Health Services to continue to work with the SELPA and the nineteen school districts to provide quality mental health services to special education children and their families. In the 2010-2011 fiscal year 485 individual children received necessary mental health services through this program.

FISCAL/STAFFING IMPACT: Community Mental Health Services will retain current clinical and administrative staff, totaling 20.95 full time equivalents, to provide the necessary services to special education students and their families. There will be a reduction in the contracts for child psychiatrists and for family partners who have worked to support and educate parents about the special education process. SELPA will pay the County quarterly for the actual costs of the services less the revenue from Medi-Cal and other third party payers. Expenditures and revenues

for this program are included in the current mental health budget in fund center 1000043000. The budget will be adjusted at mid-year as final revenue allocations are determined by the State.

REVIEWED BY:

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|--------------------------|--------------------|-------------------------------------|-----|
| <input type="checkbox"/> | Auditor Controller | <input checked="" type="checkbox"/> | N/A |
| <input type="checkbox"/> | County Counsel | <input checked="" type="checkbox"/> | N/A |
| <input type="checkbox"/> | Human Resources | <input checked="" type="checkbox"/> | N/A |

Respectfully submitted,

Larry Meredith, Ph.D.
Director of Health and Human Services