

**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

820



FROM: Department of Mental Health

SUBMITTAL DATE:
December 19, 2003

SUBJECT: RATIFICATION OF AGREEMENT WITH RIVERSIDE COUNTY OFFICE OF EDUCATION FOR DISBURSEMENT OF SPECIAL EDUCATION LOCAL PLAN AREAS (SELPA) FUNDS, ALL DISTRICTS

RECOMMENDED MOTION: Move that the Board of Supervisors;

1. Ratify the Agreement between Riverside County Office of Education and Mental Health,
2. Authorize the Chairman of the Board to sign the Agreement, and
3. Authorize the Director of Mental Health to administer the terms and conditions of the Agreement and to sign any amendments during the term of the one-year Agreement.

BACKGROUND: Chapter 26.5 of the California Education Code requires local Departments of Mental Health to provide specific services to minors in Special Education as a part of the educational requirements under Federal law called the Individuals With Disabilities Education Act (IDEA). The intent of IDEA is to provide free and appropriate education and related services to school-aged children with disabilities. Additionally, California Code of Regulations Title 2, Division 9, Chapter 1 requires that an interagency agreement be developed and signed between local Offices of Education and Mental Health Agencies in accordance with Chapter 26.5.

THIS AGREEMENT HAS BEEN FORM APPROVED BY THE OFFICE OF COUNTY COUNSEL

JJR:NE

[Signature]
John J. Ryan, Director
Department of Mental Health

FINANCIAL DATA	Current F.Y. Total Cost:	\$ 0	In Current Year Budget:	Yes
	Current F.Y. Net County Cost:	\$ 0	Budget Adjustment:	No
	Annual Net County Cost:	\$ 0	For Fiscal Year:	03/04

SOURCE OF FUNDS: State 100% (Revenue)	Positions To Be Deleted Per A-30	<input type="checkbox"/>
	Requires 4/5 Vote	<input type="checkbox"/>

C.E.O. RECOMMENDATION:

APPROVE

County Executive Office Signature

[Signature]

Prev. Agn. Ref.:

District:

Agenda Number:

3.31

**ATTACHMENTS FILED
WITH THE CLERK OF THE BOARD**

FORM APPROVED
COUNTY COUNSEL
[Signature]
JAN 06 2004

67Departmental Concurrence

Dep't Recomm.: Consent Policy
Per Exec. Ofc.: Consent Policy

COUNTY OF RIVERSIDE
JAN 13 6 55 AM '04
OFFICE OF THE CLERK OF THE BOARD

SUBJECT: RATIFICATION OF AGREEMENT WITH RIVERSIDE COUNTY OFFICE OF EDUCATION FOR DISBURSEMENT OF SPECIAL EDUCATION LOCAL PLAN AREAS (SELPA) FUNDS, ALL DISTRICTS

BACKGROUND (CONT'D)

In 1984, California enacted AB3632, later amended as AB2726 in 1996, to address inefficiencies determined to exist between state and local government agencies in delivering services to the target population. The legislation stipulated that existing services rendered by state and local government agencies be coordinated and maximized. Furthermore, the legislation required that responsibilities on the part of specific state and local government agencies be clarified in order to better serve the educational needs of the state's disabled students.

In August 2003, the California State Assembly passed AB1765, which appropriated \$69 million in Federal (IDEA) pass-through funds to be used exclusively to support mental health services throughout the state provided during the 2003/04 fiscal year by county mental health agencies pursuant to Chapter 26.5. Each county office of education receiving the funds are required to contract with the local county mental health agency on behalf of the Special Education Local Plan Areas (SELPA) in their county for the provision of mental health services to eligible students.

The purpose of the Agreement between Riverside County Office of Education and the Department is to formalize the transfer of these funds in their entirety from Riverside County Office of Education to the Department of Mental Health in accordance with AB1765.

Fiscal Provisions

Initially, \$12,334,000 will be distributed statewide consistent with an allocation plan formulated by the State Department of Mental Health (DMH). Riverside County's share of the initial allocation is \$624,808. These funds are for the exclusive use of mental health services identified within an Individualized Education Program (IEP), a plan developed collaboratively between the Department and the school districts to meet the unique educational and special needs of program participants. Additionally, the initial allocation will assist counties with cash flow.

The remaining funds, \$56,663,000, will be distributed to counties proportionately based on approved mandated cost claims filed for FY 2001/02. Based on this methodology, Riverside County will receive a subsequent allocation of \$2,357,309. Therefore, Riverside County's total allocation for FY 2003/04 is \$2,982,117. The allocation methodology is in effect for FY 2003/04 only.

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Fiscal Provisions (Cont'd)

The funding covered by this Agreement is to be considered offsetting revenues for provision of any reimbursable mental health services provided in FY 2003/04. However, the Department anticipates a deficit of approximately \$2,280,069 in FY 03/04 since the cost to the Department to provide the services is estimated at \$5,262,186. The Department plans to submit an SB90 claim to the state for the difference incurred in FY 03/04.

It is uncertain if SB90 funds will be available in FY 04/05. In the event funds are unavailable, the Department will decide whether or not to provide the services.

Target Population

Disabled school-aged children up to twenty-two (22) years of age or until graduation from high school, whichever occurs first, requiring mental health and other services to benefit from a free and appropriate public education.

Performance Period

The period of performance for this Agreement is July 1, 2003 through June 30, 2004. There are sufficient Department funds to cover this Agreement. No additional County funds are necessary.