

MEMORANDUM OF UNDERSTANDING

#162-MHD0709

between

EL DORADO COUNTY OFFICE OF EDUCATION

and

**EL DORADO COUNTY HEALTH SERVICES DEPARTMENT,
MENTAL HEALTH DIVISION**

and

EL DORADO COUNTY DEPARTMENT OF HUMAN SERVICES

This Memorandum of Understanding (“MOU”), made and entered into by and between El Dorado County Office of Education, a political subdivision of the State of California (hereinafter referred to as “EDCOE”), and the County of El Dorado, also a political subdivision of the State of California, through its Health Services Department, Mental Health Division (MHD) and its Department of Human Services (DHS) (jointly hereinafter referred to as “COUNTY”);

R E C I T A L S

WHEREAS, EDCOE and COUNTY have collaboratively determined that it is necessary to provide a framework to assure that those individual students diagnosed with exceptional needs have the opportunity to achieve a higher level of psychological, social and educational functioning in school; and

WHEREAS, EDCOE is the administrative unit for the Special Education Local Plan Area (SELPA), and is therefore authorized to act on behalf of SELPA to develop an agreement to facilitate the provision of mental health services; and

WHEREAS, pursuant to Welfare and Institutions Code Section 18351 et seq, DHS, as the County's welfare department, is responsible for making payments to residential care providers upon receipt of authorization documents from MHD for the placement of any seriously emotionally disturbed child who has been placed out-of-home pursuant to an individualized education program developed under Section 7572.5 of the Government Code; and

WHEREAS, it is the intent of the parties hereto that such services be in conformity with all applicable federal, state and local laws;

NOW, THEREFORE, the parties hereto mutually agree as follows:

Article I. Term:

This MOU shall be effective upon execution by all parties and shall expire June 30, 2011, unless terminated earlier pursuant to provisions of Article IX herein.

Article II. Scope Of Services:

EDCOE and COUNTY each agree to furnish facilities, personnel and services necessary to provide the services set forth in Exhibit "A" marked "Description of Services and Responsibilities," incorporated herein and made by reference a part hereof.

This MOU covers all Local Education Agencies (LEA's) who participate in the El Dorado County SELPA and that participation obligates those LEA's to the terms of this MOU.

Article III. Compensation for Services:

There is no remuneration associated with this MOU.

Article IV. Financial Responsibilities:

COUNTY and EDCOE each agree to assume the financial responsibilities as set forth in Exhibit "A" marked "Description of Services and Responsibilities," incorporated herein and made by reference a part hereof.

Article V. Indemnity:

COUNTY shall defend, indemnify, and hold EDCOE harmless against and from any and all claims, suits, losses, damages and liability for damages of every name, kind and description, including attorneys fees and costs incurred, brought for, or on account of, injuries to or death of any person, including but not limited to workers, EDCOE employees, and the public, or damage to property, or any economic or consequential losses, which are claimed to or in any way arise out of or are connected with the COUNTY'S services, operations, or performance hereunder, regardless of the existence or degree of fault or negligence on the part of EDCOE, COUNTY, sub-contractor(s) and employee(s) of any of these, except for the sole, or active negligence of EDCOE, its officers and employees, or as expressly prescribed by statute. This duty of COUNTY to indemnify and save EDCOE harmless includes the duties to defend set forth in California Civil Code Section 2778.

EDCOE shall defend, indemnify, and hold COUNTY harmless against and from any and all claims, suits, losses, damages and liability for damages of every name, kind and description, including attorneys fees and costs incurred, brought for, or on account of, injuries to or death of any person, including but not limited to workers, COUNTY employees, and the public, or damage to property, or any economic or consequential losses, which are claimed to or in any way arise out of or are connected with EDCOE's services, operations, or performance hereunder, regardless of the existence or degree of fault or negligence on the part of COUNTY, EDCOE, sub-contractor(s) and employee(s) of any of these, except for the sole, or active negligence of COUNTY, its officers and employees, or as expressly prescribed by statute. This duty of EDCOE to indemnify and save COUNTY harmless includes the duties to defend set forth in California Civil Code Section 2778.

Article VI. HIPAA Compliance:

All data, together with any knowledge otherwise acquired by parties during the performance of services provided pursuant to this agreement, shall be treated by parties and parties' staff as confidential information. Parties shall not disclose or use, directly or indirectly, at any time, any such confidential information. If any party receives any individually identifiable health information ("Protected Health Information" or "PHI"), the party shall maintain the security and confidentiality of such PHI as required by applicable laws and regulations, including the Health Insurance Portability and Accountability Act of 1996 ("HIPAA") and the regulations promulgated thereunder.

Article VII. Mandated Reporter Requirements:

All parties acknowledge and agree to comply with mandated reporter requirements pursuant to the provisions of California Penal Code Section 11164 et seq, also known as The Child Abuse and Neglect Reporting Act.

Article VIII. Changes to MOU:

This MOU may be amended by mutual consent of the parties hereto. Said amendments shall become effective only when in writing and fully executed by duly authorized officers of the parties hereto.

Article IX. Termination:

Any party may terminate this MOU in whole or in part upon thirty (30) calendar day's written notice without cause. Upon Notice of Termination, parties shall promptly discontinue all services affected, as of the effective date of termination set forth in such Notice of Termination, unless the notice directs otherwise.

Article X. Insurance:

All parties are self-insured and shall provide a letter of self-insurance if requested to do so by either party during the term of this MOU.

Article XI. Notice to Parties:

All notices to be given by the parties hereto shall be in writing and served by depositing same in the United States Post Office, postage prepaid and return receipt requested.

Notices to COUNTY shall be addressed as follows:

**COUNTY OF EL DORADO
HEALTH SERVICES DEPARTMENT
931 SPRING STREET
PLACERVILLE, CA 95667
ATTN: NEDA WEST, DIRECTOR**

or to such other location as the MHD directs.

**COUNTY OF EL DORADO
DEPARTMENT OF HUMAN SERVICES
3057 BRIW RIDGE ROAD
PLACERVILLE, CA 95667
ATTN: DANIEL NIELSON, DIRECTOR**

Or to such other location as DHS directs.

Notices to EDCOE shall be addressed as follows:

**EL DORADO COUNTY OFFICE OF EDUCATION
6767 GREEN VALLEY ROAD
PLACERVILLE, CA 95667
ATTN: VICKI L. BARBER, Ed.D.**

or to such other location as the EDCOE directs.

Article XII. Administrator:

The MHD Officer or employee with responsibility for administering this agreement is Barry Wasserman, Manager of Mental Health Programs, Health Services Department, Mental Health Division, or successor.

Article XIII. Authorized Signatures:

The parties to this agreement represent that the undersigned individuals executing this agreement on their respective behalf are fully authorized to do so by law or other appropriate instrument and to bind upon said parties to the obligations set forth herein.

Article XIV. Venue:

Any dispute resolution action arising out of this agreement, including, but not limited to, litigation, mediation, or arbitration, shall be brought in El Dorado County, California, and shall be resolved in accordance with the laws of the State of California.

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IN WITNESS WHEREOF, the parties hereto have executed this MOU #093-M1011 on the dates indicated below.

-- EL DORADO COUNTY OFFICE OF EDUCATION --

Vicki L. Barber
Vicki L. Barber, Ed.D.
Superintendent

8/16/10
Date

-- COUNTY OF EL DORADO --

Dated: _____

By: _____
Norma Santiago, Chair
Board of Supervisors

ATTEST:
Suzanne Allen de Sanchez
Clerk of the Board of Supervisors

By: _____ Date: _____
Deputy Clerk

EXHIBIT "A"
DESCRIPTION OF SERVICES AND RESPONSIBILITIES

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EXHIBIT "A"
DESCRIPTION OF SERVICES AND RESPONSIBILITIES

<p>I. ADMINISTRATION: The Local Education Agencies (LEA's) and the El Dorado County Office of Education (EDCOE) as the coordinating liaison with El Dorado County Health Services Department, Mental Health Division (MHD) shall designate and identify liaison persons to facilitate the exchange of information between agencies. Mutual staff development for education and mental health personnel shall be facilitated, as appropriate.</p>	
<p>EL DORADO COUNTY OFFICE OF EDUCATION (EDCOE) LOCAL EDUCATION AGENCIES (LEA's)</p>	<p>EL DORADO COUNTY HEALTH SERVICES DEPARTMENT, MENTAL HEALTH DIVISION (MHD)</p>
<p>A. Shall designate and identify liaison person(s) responsible for facilitating interactions with the MHD. Title 2 CCR § 60030 (c)</p>	<p>A. Shall designate and identify liaison person(s) responsible for facilitating interactions with LEA's and the EDCOE. Title 2 CCR § 60030 (c)</p>
<p>1. The person or persons shall herein be referred to as the LEA Representative and shall coordinate with MHD regarding the assessment, identification, treatment needs, and implementation of psychotherapeutic services for individuals with exceptional needs as identified in the Individualized Education Program (IEP).</p>	<p>1. The person or persons shall herein be referred to as the AB 3632 Coordinator and shall coordinate attendance at Individualized Education Program (IEP) meetings, assessments, and will arrange for treatment or case management services and monitor time lines as defined in the IEP.</p>
<p>2. The EDCOE and MHD shall mutually identify staff development activities as indicated. CA Government Code 7586.6 (b); Title 2 CCR § 60030 (c) (17)</p>	<p>2. MHD and the EDCOE shall mutually identify staff development activities as indicated. CA Government Code 7586.6 (b); Title 2 CCR § 60030 (c) (17)</p>
<p>3. The EDCOE shall notify the MHD of the county of origin within two (2) working days when a pupil with a disability is currently receiving services within an El Dorado County school district and has been placed by the courts, regional center, or other public/private agency for other than educational reasons. Title 2 CCR § 60030 (c)(4)</p>	<p>3. If the MHD receives a referral for a pupil with a different county of origin, it shall forward the referral within one (1) working day to the community mental health services of the county of origin. The county of origin shall have programmatic and fiscal responsibility. Title 2 CCR § 60040 (g)</p>
<p>4. The EDCOE may request that MHD provide a list of qualified mental health professionals who conduct mental health assessments and provide mental health services. Title 2 CCR § 60030 (c)(15)</p>	<p>4. Upon request, MHD shall provide the EDCOE with a list of qualified mental health professionals who conduct mental health assessments and provide mental health services. Title 2 CCR § 60030 (c)(15)</p>

EXHIBIT "A"
DESCRIPTION OF SERVICES AND RESPONSIBILITIES

I. ADMINISTRATION: (continued)	
EL DORADO COUNTY OFFICE OF EDUCATION (EDCOE) LOCAL EDUCATION AGENCIES (LEA's)	EL DORADO COUNTY HEALTH SERVICES DEPARTMENT, MENTAL HEALTH DIVISION (MHD)
<p>5. The EDCOE will identify the continuum of placement options that is identified in the Special Education Local Plan Area (SELPA) Local Plan for special education. Title 2 CCR § 60030 (c)(13)</p>	<p>5. MHD will assure that a range of mental health services including outpatient therapy services, day treatment, and residential treatment are available to pupils needing these services. Title 2 CCR § 60030 (c)(13)</p>

EXHIBIT "A"
DESCRIPTION OF SERVICES AND RESPONSIBILITIES

<p>II. RELEASE AND EXCHANGE OF INFORMATION: The parent/guardian of an individual with special needs has the right to authorize that all relevant information needed by the LEA, the EDCOE and MHD be provided and available to the agencies for the purposes of assessment and the determination of an appropriate program and related services including related mental health services under provisions of law, including but not limited to, the Individuals with Disabilities Education Act (IDEA), more specifically Title 34 Code of Federal Regulations (CFR) Section 300.300 and California Government Code Section 7570 et seq. ("Assembly Bill 3632"). This right shall transfer to the special needs individual at the age of majority, which is eighteen (18) years of age.</p>	
<p>EL DORADO COUNTY OFFICE OF EDUCATION (EDCOE) LOCAL EDUCATION AGENCIES (LEA's)</p>	<p>EL DORADO COUNTY HEALTH SERVICES DEPARTMENT, MENTAL HEALTH DIVISION (MHD)</p>
<p>A. Shall obtain written parental consent for the referral of the pupil to the MHD, for the release and exchange of all relevant information between the LEA and the MHD, and for the observation of the pupil by MHD professionals in an educational setting. CA Gov Code Section 7576 (b) (2); Title 34 C.F.R. Section 300.300</p>	<p>A. LEA shall provide MHD with a copy of the written parental consent for the referral of the pupil to the MHD, for the release and exchange of all relevant information between the LEA and the MHD, and for the observation of the pupil by MHD professionals in an educational setting. CA Gov Code Section 7576 (b) (2); Title 34 C.F.R. Section 300.300</p>
<p>l. Such authorization shall be in accordance with Federal and State laws related to confidentiality of pupil records.</p>	<p>l. Such authorization shall be in accordance with Federal and State laws related to confidentiality of pupil mental health records.</p>

EXHIBIT "A"
DESCRIPTION OF SERVICES AND RESPONSIBILITIES

<p>III. IDENTIFICATION AND REFERRAL: LEA's, the EDCOE, and MHD shall each be responsible for the identification of school age individuals who may be eligible for and in need of special education and related services. An LEA, IEP team, public agency or parent may initiate a referral for assessment of a pupil's social and emotional status pursuant to Education Code § 56320. Referral procedures define how a special education eligible individual suspected of needing mental health services can access MHD for determination of mental health service needs pursuant to Title 2 of the California Code of Regulations § 60040 and applicable federal and state special education laws.</p>	
<p>EL DORADO COUNTY OFFICE OF EDUCATION (EDCOE) LOCAL EDUCATION AGENCIES (LEA's)</p>	<p>EL DORADO COUNTY HEALTH SERVICES DEPARTMENT, MENTAL HEALTH DIVISION (MHD)</p>
<p>A. The LEA shall identify and assess individuals who may be in need of special education and related services, subject to receipt of written parental consent. Title 2 CCR § 60040(a)</p>	<p>A. MHD shall identify and refer to the LEA of residence, any individual suspected of needing special education services.</p>
<p>I. Prior to initiating a referral to MHD, the LEA shall ensure through documentation that all of the following criteria have been satisfied:</p>	<p>I. Upon request, MHD shall accept all referrals for mental health assessment made pursuant to subsections (a) and (c) Title 2 CCR § 60040 (f)</p>
<p>a) The LEA has conducted assessment in all areas of suspected disability, including social/emotional status, in accordance with EC § 56320; Title 2 CCR § 60040(a)(1)</p>	<p>a) When MHD receives a referral for a pupil with a different county of origin, MHD shall forward the referral within one (1) working day to the community mental health services of the county of origin, which shall have programmatic and fiscal responsibility for providing or arranging for provision of necessary services. Title 2 CCR § 60040(g)</p>
<p>b) The LEA has obtained written parental consent for a MHD referral, release and exchange of information and observation of the pupil in an educational setting. Title 2 CCR § 60040 (a)(2)</p>	

EXHIBIT "A"
DESCRIPTION OF SERVICES AND RESPONSIBILITIES

III. IDENTIFICATION AND REFERRAL: (continued)	
EL DORADO COUNTY OFFICE OF EDUCATION (EDCOE) LOCAL EDUCATION AGENCIES (LEA's)	EL DORADO COUNTY HEALTH SERVICES DEPARTMENT, MENTAL HEALTH DIVISION (MHD)
<p>c) The LEA has documentation of the pupil's emotional or behavioral characteristics that: Title 2 CCR § 60040 (a)(3)</p>	
<p>1) Are observed by qualified educational staff in educational and other settings, as appropriate. Title 2 CCR § 60040 (a)(3)(A)</p>	
<p>2) Impede a pupil from benefiting from educational services. Title 2 CCR § 60040 (a)(3)(B)</p>	
<p>3) Are significant, as indicated by their rate of occurrence and intensity. Title 2 CCR § 60040 (a)(3)(C)</p>	
<p>4) Are associated with a condition that cannot be described solely as a social maladjustment (as demonstrated by deliberate noncompliance with accepted social rules, a demonstrated ability to control unacceptable behavior, and the absence of a treatable mental disorder). Title 2 CCR § 60040 (a)(3)(D)</p>	
<p>5) Are associated with a condition that cannot be described solely as a temporary adjustment problem that cannot be resolved with less than three (3) months of school counseling. Title 2 CCR § 60040 (a)(3)(E)</p>	

EXHIBIT "A"
DESCRIPTION OF SERVICES AND RESPONSIBILITIES

III. IDENTIFICATION AND REFERRAL: (continued)	
EL DORADO COUNTY OFFICE OF EDUCATION (EDCOE) LOCAL EDUCATION AGENCIES (LEA's)	EL DORADO COUNTY HEALTH SERVICES DEPARTMENT, MENTAL HEALTH DIVISION (MHD)
d) The LEA has provided documentation of evidence that a pupil's functioning, including cognitive functioning, is at a level sufficient to enable the pupil to benefit from mental health services. Title 2 CCR § 60040 (a)(4)	
e) The LEA has provided counseling, psychological or guidance services and the IEP team has determined that the services do not meet the pupil's educational needs; or in cases where these services are clearly inappropriate, the IEP team has documented which of these services were considered and why they were deemed to be inappropriate. Title 2 CCR § 60040 (a)(5); GC § 7576(b)(5)	
2. The LEA shall provide the referral package within five (5) working days of the LEA's receipt of parental consent for the referral to MHD. The referral package shall include all of the following:	
a) Copies of the following: Current IEP, all current assessment reports completed by school personnel in all areas of suspected disabilities pursuant to CA Ed Code 56320 et seq, and other relevant information including reports completed by other agencies. Title 2 CCR § 60040 (b)(1)	
b) A copy of the parent's written consent for the referral of the pupil to MHD, the release and exchange of information, and observation of the pupil by qualified mental health professionals in an educational setting. Title 2 CCR § 60040 (a)(2)	

EXHIBIT "A"
DESCRIPTION OF SERVICES AND RESPONSIBILITIES

III. IDENTIFICATION AND REFERRAL: (continued)	
EL DORADO COUNTY OFFICE OF EDUCATION (EDCOE) LOCAL EDUCATION AGENCIES (LEA's)	EL DORADO COUNTY HEALTH SERVICES DEPARTMENT, MENTAL HEALTH DIVISION (MHD)
<p>c) A summary of the emotional or behavioral characteristics of the pupil including documentation that the pupil meets the criteria in A.1.c and A.1.d of this Section. Title 2 CCR § 60040 (b)(3)</p>	
<p>d) A description of the school counseling, psychological and guidance services provided, and other interventions that have been provided to the pupil including the initiation, duration and frequency of the services, or an explanation of why, after consideration, these services were determined to be inappropriate. Title 2 CCR § 60040 (b)(4)</p>	
<p>e) The LEA has provided appropriate counseling and guidance, parent counseling, social work services, behavioral intervention or psychological services and has determined that the services do not meet the pupils' educational needs. In cases where these services are clearly inappropriate, the IEP team has documented which services were considered and why they were deemed to be inappropriate. Title 2 CCR § 60040 (a)(5); CA GC § 7576(b)(5)</p>	

EXHIBIT "A"
DESCRIPTION OF SERVICES AND RESPONSIBILITIES

III. IDENTIFICATION AND REFERRAL: Continued	
EL DORADO COUNTY OFFICE OF EDUCATION (EDCOE) LOCAL EDUCATION AGENCIES (LEA's)	EL DORADO COUNTY HEALTH SERVICES DEPARTMENT, MENTAL HEALTH DIVISION (MHD)
<p>3. Based on preliminary results of assessments performed pursuant to Section 56320 of the Education Code, a LEA may refer a pupil who has been determined to be or is suspected of being an individual with exceptional needs, and is suspected of needing mental health services, to the MHD. The pupil must meet the criteria specified in Title 2 CCR § 60040 (a) (2-4) and school counseling, psychological and guidance services are clearly inappropriate in meeting the pupil's needs. Title 2 CCR § 60040 (c)</p>	
<p>a) Referral packets shall include all documentation required in Title 2 CCR § 60040 (d) and shall be provided within one (1) working day to MHD.</p>	
<p>4. When referring a pupil to MHD in accordance with Title 2 CCR § 60040 (c), the LEA shall provide the following documentation:</p>	
<p>a) Copies of the current IEP, all current assessment reports completed by school personnel in all areas of suspected disabilities pursuant to CA Education Code Section 56320 et seq., and other relevant information, including reports completed by other agencies. Title 2 CCR § 60040 (d)(I)</p>	

EXHIBIT "A"
DESCRIPTION OF SERVICES AND RESPONSIBILITIES

III. IDENTIFICATION AND REFERRAL: Continued	
EL DORADO COUNTY OFFICE OF EDUCATION (EDCOE) LOCAL EDUCATION AGENCIES (LEA's)	EL DORADO COUNTY HEALTH SERVICES DEPARTMENT, MENTAL HEALTH DIVISION (MHD)
b) A copy of the parent's consent obtained pursuant to Title 2 CCR § 60040 (a)(2). Title 2 CCR § 60040 (d)(2)	
c) A summary of the emotional or behavioral characteristics of the pupil, including documentation that the pupil meets the criteria in Title 2 CCR § 60040 (b) (3-4). Title 2 CCR § 60040 (d)(3)	
d) An explanation, indicating why school counseling, psychological and guidance services are clearly inappropriate in meeting the pupil's needs. Title 2 CCR § 60040 (d)(4)	

EXHIBIT "A"
DESCRIPTION OF SERVICES AND RESPONSIBILITIES

<p>IV. ASSESSMENT TO DETERMINE THE NEED FOR MENTAL HEALTH SERVICES: Individuals suspected of or identified with special needs shall be assessed in all areas of suspected disability by qualified, knowledgeable personnel using test instruments validated for the purpose for which they are used. No single test shall be used as the sole criterion for determining an appropriate educational program. Tests shall be administered in a pupil's primary language or other mode of communication. These and all other assessment requirements shall be followed in accordance with the California Education Code § 56320 and applicable federal and state law.</p>	
<p>EL DORADO COUNTY OFFICE OF EDUCATION (EDCOE) LOCAL EDUCATION AGENCIES (LEA's)</p>	<p>EL DORADO COUNTY HEALTH SERVICES DEPARTMENT, MENTAL HEALTH DIVISION (MHD)</p>
	<p>A. Shall, within five (5) calendar days of receipt of a referral packet review and determine if an assessment is needed. Title 2 CCR § 60045 (a).</p>
	<p>1. If no mental health assessment is determined to be needed or if the referral is inappropriate, the reasons shall be documented by MHD; and MHD shall notify the parent and the LEA of the reasons in writing within one (1) working day of the determination. Title 2 CCR § 60045 (a)(1)</p>
	<p>2. If the referral is determined to be incomplete, the reasons shall be documented by MHD; and MHD shall notify the LEA within one (1) working day of the determination and return the referral. Title 2 CCR § 60045 (a)(2)</p>
	<p>3. When MHD determines that an assessment is necessary, MHD shall notify the LEA, develop a mental health assessment plan, and provide the plan/parent consent form to the parent within fifteen (15) days (as further defined in CA Education Code Section 56321) of receipt of the referral. The assessment plan shall include, but not be limited to, the review of the pupil's school records and assessment reports and observation of the pupil in the educational setting, when appropriate. Title 2 CCR § 60045 (b)</p>

EXHIBIT "A"
DESCRIPTION OF SERVICES AND RESPONSIBILITIES

IV. ASSESSMENT TO DETERMINE THE NEED FOR MENTAL HEALTH SERVICES: Continued	
EL DORADO COUNTY OFFICE OF EDUCATION (EDCOE) LOCAL EDUCATION AGENCIES (LEA's)	EL DORADO COUNTY HEALTH SERVICES DEPARTMENT, MENTAL HEALTH DIVISION (MHD)
	4. The MHD shall report back to the referring LEA or IEP team within thirty (30) calendar days from the date of receipt of the referral by MHD, if parental consent for a mental health assessment has not been obtained. Title 2 CCR § 60045 (c)
	B. Upon receipt of a parent's written consent for a mental health assessment, MHD shall contact the LEA within one (1) working day of receipt of the consent to establish the date for the IEP meeting. Title 2 CCR § 60045 (d)
C. Shall schedule an IEP team meeting to be held within sixty (60) calendar days (as further defined by CA EC Section 56344) of MHD receipt of parent written consent to conduct a mental health assessment. CA EC § 56344; Title 2 CCR § 60045 (d)	C. The MHD assessment shall be completed in sufficient time to ensure that an IEP meeting is held within sixty (60) calendar days from the receipt of the written parental consent for the assessment. The timeline may only be extended upon the written request of the parent. Title 2 CCR § 60045 (e)
	D. Schedule a meeting with the parent, preferably in person.
	E. Shall review and discuss the mental health service recommendation with the parent and appropriate IEP team members. The assessor shall provide a copy of the report to the parent at least two (2) calendar days prior to the IEP team meeting. Title 2 CCR § 60045 (f) 1) If the MHD is able to schedule a face to face meeting with the parent, a copy of the report will be provided to the parent at that time. 2) If the MHD is unable to schedule a face to face meeting with the parent, a copy of the report will be faxed or mailed to the parent.

EXHIBIT "A"
DESCRIPTION OF SERVICES AND RESPONSIBILITIES

IV. ASSESSMENT TO DETERMINE THE NEED FOR MENTAL HEALTH SERVICES: Continued	
EL DORADO COUNTY OFFICE OF EDUCATION (EDCOE) LOCAL EDUCATION AGENCIES (LEA's)	EL DORADO COUNTY HEALTH SERVICES DEPARTMENT, MENTAL HEALTH DIVISION (MHD)
	<p>F. If the parent disagrees with the assessor's mental health service recommendation, MHD shall provide the parent with written notification that they may require the assessor to attend the IEP team meeting to discuss the recommendation. The assessor shall attend the IEP meeting, if requested to do so by the parent. Title 2 CCR § 60045 (f)(l)</p>
<p>G. Following the discussion and review of the MHD service assessor's recommendation, the MHD service assessor's recommendation shall be the recommendation of the IEP team members attending on behalf of the LEA. Title 2 CCR § 60045 (f)(2)</p>	<p>G. The MHD assessor shall provide to the IEP team a copy of the MHD assessment report at the IEP meeting. CA EC § 56327; Title 2 CCR § 60045 (g)</p>
	<p>H. The MHD of the county of origin shall be responsible for preparing statutorily required IEP reassessments. Title 2 CCR § 60045 (h)</p>

EXHIBIT "A"
DESCRIPTION OF SERVICES AND RESPONSIBILITIES

V. INDIVIDUALIZED EDUCATION PROGRAM (IEP) FOR CONSIDERATION OF MENTAL HEALTH SERVICES: Upon completion of an assessment by MHD, an IEP team meeting shall be convened to review assessment findings and adopt an IEP which includes mental health service needs, when appropriate.	
EL DORADO COUNTY OFFICE OF EDUCATION (EDCOE) LOCAL EDUCATION AGENCIES (LEA's)	EL DORADO COUNTY HEALTH SERVICES DEPARTMENT, MENTAL HEALTH DIVISION (MHD)
A. Shall convene an IEP team meeting in accordance with legal timelines and adopt MHD service recommendations. CA EC § 56344(a)	
B. May extend the timeline for an IEP meeting when parental consent is obtained in writing. CA EC § 564344(a)	
C. The LEA shall notify the MHD, at least ten (10) working days prior to all IEP meetings, including annual IEP reviews, when participation of MHD staff is required. Title 2 CCR § 60030 (c)(7)	C. When it is determined, in accordance with CA Gov Code Section 7572, that a mental health service is necessary for a pupil with a disability to benefit from special education, the MHD shall assure the following documentation is included in the mental health portion of the IEP: Title 2 CCR § 60050 (a)
	1. A description of the present levels of social and emotional performance Title 2 CCR § 60050 (a)(1);
	2. The goals and objectives of the mental health services with objective criteria and evaluation procedures to determine whether they are being achieved Title 2 CCR § 60050 (a)(2);
	a) A description will be provided measuring the pupil's progress toward meeting the annual goals described in Section V (B)(2) and shall be included in periodic reports, which may be issued quarterly or concurrent with the issuance of report cards. CA EC § 56345 (a) (3)
	3. A description of the types of mental health services to be provided. Title 2 CCR § 60050 (a)(3)

EXHIBIT "A"
DESCRIPTION OF SERVICES AND RESPONSIBILITIES

V. INDIVIDUALIZED EDUCATION PROGRAM (IEP) FOR CONSIDERATION OF MENTAL HEALTH SERVICES: Continued	
EL DORADO COUNTY OFFICE OF EDUCATION (EDCOE) LOCAL EDUCATION AGENCIES (LEA's)	EL DORADO COUNTY HEALTH SERVICES DEPARTMENT, MENTAL HEALTH DIVISION (MHD)
	4. The initiation, duration and frequency of mental health services, including provision for extended school year program. Title 2 CCR § 60050 (a)(4) Title 2 CCR § 60030 (c)(10)
C. Shall obtain signed parental consent for the provision of MHD mental health services in the form of a signed IEP. CA EC § 56346	C. Shall obtain signed parental consent for the provision of MHD mental health services in addition to the signed IEP. Title 2 CCR § 60050 (a)(5)
D. As soon as possible following development of the IEP, special education services shall be made available to the child in accordance with the IEP. Title 2 CCR § 60030 (c)(9)	D. As soon as possible following development of the IEP, mental health services shall be made available to the child in accordance with the IEP. Title 2 CCR § 60030 (c)(9)
E. Provision of space, support staff and services at the school site, as appropriate for the delivery of mental health services. Title 2 CCR § 60030 (c)(12)	E. When appropriate MHD shall be responsible for the provision of mental health services described in the student's IEP. MHD, when appropriate, will conduct counseling sessions at the classroom site of the special education program or other clinically appropriate sites as determined by the MHD or the IEP team.
F. Provision of a system for monitoring contracts with nonpublic, nonsectarian schools to ensure that the education services of the IEP are provided. Title 2 CCR § 60030 (c)(14)	F. Provision of a system for monitoring contracts with nonpublic, nonsectarian schools to ensure that the mental health services of the IEP are provided. Title 2 CCR § 60030 (c)(14)
G. Shall schedule an IEP team meeting upon notification by MHD to discuss and document any proposed change in mental health services. If it is determined to be appropriate by the IEP team, the change in MHD services shall be made. CA EC § 56343; Title 2 CCR § 60050 (b)	G. When MHD and the parent mutually agree to completion or termination of IEP specified mental health services, or, when the pupil is no longer participating in treatment, MHD shall notify the parent and the LEA's IEP team administrative designee to convene an IEP team meeting to discuss and document this proposed change if it is acceptable to the IEP team. Title 2 CCR § 60050(b)

EXHIBIT "A"
DESCRIPTION OF SERVICES AND RESPONSIBILITIES

<p>VI. TRANSFERS AND INTERIM PLACEMENTS: Pupils transferring/moving into the EDCOE from another county or state shall be provided appropriate mental health services pursuant to the pupil's existing IEP. Title 2 CCR § 60055 (a)</p>	
<p>EL DORADO COUNTY OFFICE OF EDUCATION (EDCOE) LOCAL EDUCATION AGENCIES (LEA's)</p>	<p>EL DORADO COUNTY HEALTH SERVICES DEPARTMENT, MENTAL HEALTH DIVISION (MHD)</p>
<p>A. Shall provide the pupil with a free and appropriate public education, including services comparable to those described in the previously approved IEP, in consultation with the parents, for a period not to exceed 30 calendar days, by which time the local educational agency shall adopt the previously approved IEP or shall develop, adopt, and implement a new IEP that is consistent with federal and state law. CA EC § 56325 (a)(1)</p>	<p>A. Shall ensure that the pupil is provided interim mental health services as specified in the existing IEP pursuant to CA Education Code 56325, for a period not to exceed thirty (30) calendar days unless the parent agrees otherwise. Title 2 CCR § 60055 (b)</p>
<p>l. In the case of an individual with exceptional needs who transfers from an educational agency located outside of the State of California to a district within California, the local educational agency shall provide the pupil with a free and appropriate public education, including services comparable to those described in the previously approved IEP, in consultation with the parents, until the local educational agency conducts an assessment pursuant to paragraph (l) of subsection (a) of Section 1414 of Title 20 of the United States Code, if determined to be necessary by the local educational agency, and develops a new IEP, if appropriate, that is consistent with federal and state law. Title 2 CA EC § 56325 (a)(3)</p>	

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DESCRIPTION OF SERVICES AND RESPONSIBILITIES

VI. TRANSFERS AND INTERIM PLACEMENTS: Continued	
EL DORADO COUNTY OFFICE OF EDUCATION (EDCOE) LOCAL EDUCATION AGENCIES (LEA's)	EL DORADO COUNTY HEALTH SERVICES DEPARTMENT, MENTAL HEALTH DIVISION (MHD)
<p>B. Shall refer to MHD any pupil transferring into the EDCOE from another county or state, who was receiving mental health services pursuant to an existing IEP. Title 2 CCR § 60055 (a)</p>	
<p>I. Shall provide the following information to MHD:</p> <ul style="list-style-type: none"> a) Copies of the pupil's existing IEP; b) Copies of reports received; c) Signed Release and Exchange of Information form 	
<p>C. Shall conduct an IEP team meeting within thirty (30) calendar days of the pupil's transfer to make special education program and service recommendations and make a determination regarding adoption of MHD mental health service recommendations. CA EC § 56325(a); Title 2 CCR § 60055 (c)</p>	<p>C. Shall participate in an IEP team meeting within thirty (30) calendar days of the pupil's transfer to review interim mental health services and make a determination regarding the continuation of these mental health services. CA EC § 56325(a); Title 2 CCR § 60055 (c)</p>

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VII. RESIDENTIAL PLACEMENT OF A SERIOUSLY EMOTIONALLY DISTURBED PUPIL: These procedures shall apply <u>only</u> to a pupil with a disability who meets eligibility criteria as emotionally disturbed pursuant to Title 5 CCR § 3030 (i), Title 2 CCR § 60100 (a)	
EL DORADO COUNTY OFFICE OF EDUCATION (EDCOE) LOCAL EDUCATION AGENCIES (LEA's)	EL DORADO COUNTY HEALTH SERVICES DEPARTMENT, MENTAL HEALTH DIVISION (MHD)
<p>A. Shall proceed as specified in Subsection III "Identification and Referral" and Subsection IV "Assessment to Determine the Need for Mental Health Services", for referral and assessment, when the LEA or MHD determines the need for added mental health assessment. Title 2 CCR § 60100 (c)</p>	<p>A. Shall proceed as specified in Subsection III "Identification and Referral" and Subsection IV "Assessment to Determine the Need for Mental Health Services", for referral and assessment, when MHD or the LEA determines the need for added mental health assessment. Title 2 CCR § 60100 (c)</p>
<p>B. When any IEP team member recommends a residential placement for a pupil who meets the educational eligibility criteria specified in Title 34 CFR Section 300.7, the LEA shall expand the IEP team, per CA Gov Code § 7572.5 to include a representative of the MHD, and convene an expanded IEP team meeting within thirty (30) calendar days of that recommendation. Title 2 CCR § 60100 (b)(1)</p>	<p>B. Shall provide a representative to participate in an expanded IEP team, per CA Gov Code § 7572.5 and shall send an authorized MHD representative to all expanded IEP team meetings whenever the possibility of residential placement for an emotionally disturbed pupil is being considered. Title 2 CCR § 60100 (b)(1)</p>
<p>C. At the expanded IEP team meeting and prior to the determination that a residential placement is necessary for the pupil to receive special education and mental health services, the expanded IEP team shall consider less restrictive alternatives, such as providing a behavior specialist and full-time behavioral aide in the classroom, home and other community environments, and/or parent training in the home and community environments. The IEP team shall document the alternatives to residential placement that were considered and why they were rejected. Such alternatives may include any combination of cooperatively developed educational and mental health services. Title 2 CCR § 60100 (c)</p>	<p>C. At the expanded IEP team meeting and prior to the determination that a residential placement is necessary for the pupil to receive special education and mental health services, the expanded IEP team, shall consider less restrictive alternatives, such as providing a behavior specialist and full-time behavioral aide in the classroom, home and other community environments, and/or parent training in the home and community environments. The IEP team shall document the alternatives to residential placement that were considered and why they were rejected. Such alternatives may include any combination of cooperatively developed educational and mental health services. Title 2 CCR § 60100 (c)</p>

EXHIBIT "A"
DESCRIPTION OF SERVICES AND RESPONSIBILITIES

VII: RESIDENTIAL PLACEMENT OF A SERIOUSLY EMOTIONALLY DISTURBED PUPIL: Continued	
EL DORADO COUNTY OFFICE OF EDUCATION (EDCOE) LOCAL EDUCATION AGENCIES (LEA's)	EL DORADO COUNTY HEALTH SERVICES DEPARTMENT, MENTAL HEALTH DIVISION (MHD)
<p>D. Following the discussion and review of the MHD service assessor's recommendation, the MHD service assessor's recommendation shall be the recommendation of the IEP team members attending on behalf of the LEA. Title 2 CCR § 60045 (f)(2)</p>	
<p>E. Shall, in the absence of a MHD representative, adjourn and reconvene the IEP meeting within fifteen (15) calendar days with a MHD representative present. CCR § 60100(b)(2)</p>	
<p>F. When the expanded IEP team recommends residential placement, it shall document the pupil's educational and mental health treatment needs that support the need for residential placement. This documentation shall identify the special education and related mental health services to be provided by the residential facility listed in Title 2 CCR § 60025 that cannot be provided in a less restrictive environment pursuant to Title 20 CFR Section 1412 (5) (a). Title 2 CCR § 60100 (d)</p>	<p>F. When the expanded IEP team determines that it is necessary to place a pupil with a disability who is seriously emotionally disturbed in residential care, the MHD shall ensure that:</p> <ul style="list-style-type: none"> a) The mental health services are specified in the IEP in accordance with Title 20, United States Code § 1414(d)(1)(A)(vi). Title 2 CCR § 60100 (i)(1) b) The mental health services are provided by qualified health professionals. Title 2 CCR § 60100 (i)(2)
	<p>G. The MHD case manager, in consultation with the IEP team's administrative designee, shall identify a mutually satisfactory placement that is acceptable to the parent and addresses the pupil's educational and mental health needs in a manner that is cost effective to both public agencies subject to the requirements of federal and state special education laws, including the requirement that the placement be appropriate and in the least restrictive environment. Title 2 CCR § 60100 (e)</p>

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DESCRIPTION OF SERVICES AND RESPONSIBILITIES

VII: RESIDENTIAL PLACEMENT OF A SERIOUSLY EMOTIONALLY DISTURBED PUPIL: Continued	
EL DORADO COUNTY OFFICE OF EDUCATION (EDCOE) LOCAL EDUCATION AGENCIES (LEA's)	EL DORADO COUNTY HEALTH SERVICES DEPARTMENT, MENTAL HEALTH DIVISION (MHD)
<p>H. Before contracting with a nonpublic, nonsectarian school or agency outside of the state, the EDCOE or LEA shall document its efforts to utilize public schools or to locate an appropriate nonpublic nonsectarian school or agency program, or both within the state. CA EC § 56365(e)</p>	<p>H. The residential placement shall be in a facility listed in Title 2 CCR Section 60025 that is located within the county of residence or in the county adjacent to the county of residence of the parents of the pupil with a disability, pursuant to paragraph (3) of subsection (a) of section 300.552 of Title 34 of the Code of Federal Regulations (CFR), as revised and renumbered as Title 34 CFR Section 300.116, August 2006. When no nearby placement alternative which is able to implement the IEP can be identified, this determination shall be documented, and the MHD case manager shall seek an appropriate placement which is as close to the parents' home as possible. Title 2 CCR § 60100 (f)</p>
<p>I. Residential placement for a pupil with a disability who is seriously emotionally disturbed may be made out of California only when:</p> <ul style="list-style-type: none"> a) No in-state facility can meet the pupil's needs; b) The requirements of Title 2 CCR § 60100 (d) and (e) have been met; c) The residential program meets the requirements of Welfare and Institutions Code § 11460 (c)(2) through (c)(3). d) For educational purposes, the pupil shall receive services from a privately operated non-medical, non-detention school certified by the California Department of Education. <p>Title 2 CCR § 60100 (h)</p>	<p>I. Residential placement for a pupil with a disability who is seriously emotionally disturbed may be made out of California only when:</p> <ul style="list-style-type: none"> a) No in-state facility can meet the pupil's needs; b) The requirements of Title 2 CCR § 60100 (d) and (e) have been met; c) The residential program meets the requirements of Welfare and Institutions Code § 11460 (c)(2) through (c)(3). <p>Title 2 CCR § 60100 (h)</p>
<p>J. When the expanded IEP team determines it is necessary to place a seriously emotionally disturbed pupil in a residential program, the expanded IEP team shall ensure that the placement is in accordance with the admission criteria of the facility. Title 2 CCR § 60100 (j)</p>	<p>J. When the expanded IEP team determines it is necessary to place a seriously emotionally disturbed pupil in a residential program, the expanded IEP team shall ensure that placement is in accordance with the admission criteria of the facility. Title 2 CCR § 60100 (j)</p>

EXHIBIT "A"
DESCRIPTION OF SERVICES AND RESPONSIBILITIES

VIII. CASE MANAGEMENT FOR A SERIOUSLY EMOTIONALLY DISTURBED PUPIL IN A RESIDENTIAL PLACEMENT: All decisions regarding the placement of a seriously emotionally disturbed pupil must be made through a residential placement plan and the Expanded IEP team. Title 2 CCR § 60110	
EL DORADO COUNTY OFFICE OF EDUCATION (EDCOE) LOCAL EDUCATION AGENCIES (LEA's)	EL DORADO COUNTY HEALTH SERVICES DEPARTMENT, MENTAL HEALTH DIVISION (MHD)
	<p>A. If the pupil has been placed into residential care from another county, the MHD shall forward the referral immediately to the county of origin which shall have fiscal and programmatic responsibility for providing or arranging for the provision of necessary services. This procedure shall not impede or delay the referral and assessment process. Ca Gov Code Section 7576 (g)</p>
<p>B. Shall be responsible for providing or arranging for the special education and non-mental health related services needed by the pupil. Title 2 CCR § 60110(b)(2)</p>	<p>B. Shall designate a case manager to coordinate the pupil's residential placement plan upon notification to place the pupil in a residential placement. Title 34 CFR § 300.342, as revised and renumbered as Title 34 CFR § 300.323, August 2006; Title 2 CCR § 60110 (a); Title 2 CCR § 60110 (b)</p>
	<p>C. The residential placement plan shall include provisions, as determined in the pupil's IEP, for the care, supervision, mental health treatment, psychotropic medication monitoring if required, and the education of the pupil with a disability who is seriously emotionally disturbed. Title 2 CCR § 60110 (b)(1)</p>
	<p>D. When the expanded IEP team determines that it is necessary to place a pupil with a disability who is seriously emotionally disturbed in a community treatment facility, the case manager shall ensure that placement is in accordance with admission and, continuing stay, and discharge criteria of the community treatment facility. Title 2 CCR § 60110(b)(3)</p>

EXHIBIT "A"
DESCRIPTION OF SERVICES AND RESPONSIBILITIES

VIII. CASE MANAGEMENT FOR A SERIOUSLY EMOTIONALLY DISTURBED PUPIL IN A RESIDENTIAL PLACEMENT: Continued	
EL DORADO COUNTY OFFICE OF EDUCATION (EDCOE) LOCAL EDUCATION AGENCIES (LEA's)	EL DORADO COUNTY HEALTH SERVICES DEPARTMENT, MENTAL HEALTH DIVISION (MHD)
E. Case management shall include, but not be limited to, the following responsibilities executed by the LEA or its designee: Title 2 CCR § 60110(c)(1)	E. Case management shall include, but not be limited to, the following responsibilities executed by MHD or its designee. Title 2 CCR § 60110(c)
1. Participate in a meeting with parents and representatives of public and private agencies, including MHD staff. Title 2 CCR § 60110 (c)(1)	1. Convene and participate in a meeting with parents and representatives of public and private agencies, including educational staff. Title 2 CCR § 60110 (c)(1)
	2. Identify an appropriate residential placement, excluding local inpatient, private psychiatric and state hospital facilities. Title 2 CCR § 60110 (c)(1)
	3. Identify, in consultation with the IEP team's administrative designee, a mutually satisfactory placement that is acceptable to the parent and addresses the pupil's educational and mental health needs in a manner that is cost-effective to both public agencies, subject to the requirements of state and federal special education law, including the requirement that the placement be appropriate and in the least restrictive environment. Title 2 CCR § 60110 (c)(2)
4. Develop a master contract and individual services agreement between the LEA and nonpublic, nonsectarian school or agency services. CA EC § 56366	4. Complete payment authorization to initiate payments for residential placement in accordance with CA Welfare and Institutions Code Section 18351. Title 2 CCR § 60110 (c)(3)
	5. Assure completion of the MHD and LEA financial paperwork and contracts for residential placement. Title 2 CCR § 60110 (c)(4)

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DESCRIPTION OF SERVICES AND RESPONSIBILITIES

VIII. CASE MANAGEMENT FOR A SERIOUSLY EMOTIONALLY DISTURBED PUPIL IN A RESIDENTIAL PLACEMENT: Continued	
EL DORADO COUNTY OFFICE OF EDUCATION (EDCOE) LOCAL EDUCATION AGENCIES (LEA's)	EL DORADO COUNTY HEALTH SERVICES DEPARTMENT, MENTAL HEALTH DIVISION (MHD)
	6. Develop the plan and assist the family with the pupil's social and emotional transition from home to the residential placement and the subsequent return to the home. Title 2 CCR § 60110 (c)(5)
	7. Facilitate the enrollment of the pupil with a disability who is seriously emotionally disturbed in the residential placement. Title 2 CCR § 60110 (c)(6)
8. Provide transportation to and from the residential placement if needed. Title 2 CCR § 60200(d)(2)	8. Notify the LEA that placement has been arranged and coordinate transportation of the pupil to the facility, if needed. Title 2 CCR § 60110(c)(7)
9. Periodically report on the progress the pupil is making toward meeting annual goals as indicated in the IEP for the pupil. CA EC § 56345(a)(3)	9. Conduct quarterly face-to-face contacts with the pupil who is seriously emotionally disturbed at the residential facility to monitor the level of care, supervision, and the provision of mental health services as required by the IEP. Title 2 CCR § 60110 (c)(8)
	10. Conduct an evaluation every ninety (90) calendar days for a pupil in a community treatment facility to determine if the pupil meets continuing stay criteria as defined in the Welfare and Institutions Code Section 4094 and implementing mental health regulations. Title 2 CCR § 60110(c)(8)
	11. Notify the parent and the LEA if there is a discrepancy between the level of care, supervision, or the provision of mental health services and the requirements of the IEP. Title 2 CCR § 60110(c)(9)

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DESCRIPTION OF SERVICES AND RESPONSIBILITIES

VIII. CASE MANAGEMENT FOR A SERIOUSLY EMOTIONALLY DISTURBED PUPIL IN A RESIDENTIAL PLACEMENT: Continued	
EL DORADO COUNTY OFFICE OF EDUCATION (EDCOE) LOCAL EDUCATION AGENCIES (LEA's)	EL DORADO COUNTY HEALTH SERVICES DEPARTMENT, MENTAL HEALTH DIVISION (MHD)
<p>12. Participate in an expanded IEP team meeting within six (6) months of residential placement and every six (6) months thereafter as long as the pupil remains in residential placement. Title 2 CCR § 60110 (c)(10)</p>	<p>12. Contact the LEA to schedule, and attend, an expanded IEP team meeting within six (6) months of the residential placement and every six (6) months thereafter as long as the pupil remains in residential placement. Title 2 CCR § 60110 (c)(10)</p>
	<p>13. Facilitate placement authorization from the County's interagency placement committee pursuant to CA Welfare and Institutions Code Section 4094.5(e)(1), by presenting the case prior to placement in a community treatment facility. Title 2 CCR § 60110 (c)(11)</p>

EXHIBIT "A"
DESCRIPTION OF SERVICES AND RESPONSIBILITIES

<p>IX. FINANCIAL RESPONSIBILITIES: The following is an outline of the conditions and limitations for reimbursement for the provision of special education instruction, designated instruction and services, related services, and residential placement described earlier in this agreement. Special education instruction, designated instruction and services, related services, and residential placements are to be provided at no cost to the parent. Title 2 CCR § 60200 (a); Title 2 CCR § 60200 (b)</p>		
<p>EL DORADO COUNTY OFFICE OF EDUCATION (EDCOE) LOCAL EDUCATION AGENCIES (LEA's)</p>	<p>EL DORADO COUNTY HEALTH SERVICES DEPARTMENT, MENTAL HEALTH DIVISION (MHD)</p>	<p>EL DORADO COUNTY HUMAN SERVICES DEPARTMENT (HSD)</p>
<p>A. The pupil's LEA shall be financially responsible for:</p>	<p>A. The MHD from the pupil's county of origin shall be financially responsible for:</p>	<p>A. The HSD from the pupil's county of origin shall be financially responsible for:</p>
<p>1. Transportation of a pupil with a disability to and from the mental health services specified in the IEP, including provisions for extended school year program. Title 2 CCR § 60200 (d)(1) Title 2 CCR § 60030 (c)(10)</p>		
<p>2. Transportation of a pupil to and from the residential placement as specified in the IEP. Title 2 CCR § 60200 (d)(2)</p>		
<p>3. Special education instruction, non-mental health related services and designated instruction and services agreed upon in the IEP, and specified in the agreement with a nonpublic, nonsectarian school, or, a public program arranged with another SELPA or LEA. Title 2 CCR § 60200 (d)(3)</p>	<p>3. Providing assessments and mental health services included in an IEP in accordance with Title 2 CCR Sections 60045, 60050, and 60100. Title 2 CCR § 60200 (c)</p>	
	<p>4. Providing mental health services either directly by the MHD or by contractors. Title 2 CCR § 60200 (c)</p>	

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DESCRIPTION OF SERVICES AND RESPONSIBILITIES

IX. FINANCIAL RESPONSIBILITIES: Continued		
EL DORADO COUNTY OFFICE OF EDUCATION (EDCOE) LOCAL EDUCATION AGENCIES (LEA's)	EL DORADO COUNTY HEALTH SERVICES DEPARTMENT, MENTAL HEALTH DIVISION (MHD)	EL DORADO COUNTY HUMAN SERVICES DEPARTMENT (HSD)
	<p>5. Completing and submitting payment authorization to the El Dorado County Department of Human Services in order to initiate payments to the facilities listed in Title 2 CCR Section 60025 based upon rates established by the CA Department of Social Services in accordance with CA Welfare and Institutions Code Sections 18350 through 18356.</p> <p>a) Payment authorization shall include information sufficient to demonstrate that the child meets all eligibility criteria established in regulations by the State Department of Mental Health, developed in consultation with the State Department of Education.</p> <p>CA WGI Code 18351 Title 2 CCR § 60200 (e)</p>	<p>5. Upon receipt of the authorization from DMH, pursuant to Title 2 CCR § 60200 (e), including documentation that the pupil is eligible for residential placement as a seriously emotionally disturbed pupil from DMH, issuing payment in accordance with CA Welfare and Institutions Code Section 18351, to residential care providers.</p> <p>a) Payment shall be based upon rates established by the CA Department of Social Services in accordance with CA Welfare and Institutions Code Sections 18350 through 18356.</p> <p>Title 2 CCR § 60200 (f) CA WGI Code 18351</p>
	<p>6. The MHD from the pupil's host county shall be responsible for making its provider network available and shall provide the county of origin a list of appropriate providers used by the host county's managed care plan who are currently available to take new referrals.</p> <p>Title 2 CCR § 60200 (c) (I)</p>	

EXHIBIT "A"
DESCRIPTION OF SERVICES AND RESPONSIBILITIES

<p>X. INTERAGENCY AGREEMENT DISPUTE RESOLUTION: It is the intention of the EDCOE, LEA's, and MHD to resolve any disputes arising from this Interagency Agreement at the lowest possible administrative level.</p>	
<p>EL DORADO COUNTY OFFICE OF EDUCATION (EDCOE) LOCAL EDUCATION AGENCIES (LEA's)</p>	<p>EL DORADO COUNTY HEALTH SERVICES DEPARTMENT, MENTAL HEALTH DIVISION (MHD)</p>
<p>A. The LEA Director of Special Education, or designee, shall, in a timely manner, contact the MHD Supervisor/Program Manager responsible for youth and family services to communicate and seek resolution to any dispute arising from the Interagency Agreement. (Step 1)</p>	<p>A. The Supervisor/Program Manager for MHD shall, in a timely manner, contact the LEA Director of Special Education, or designee, to communicate and seek resolution to any dispute arising from the Interagency Agreement. (Step 1)</p>
<p>B. Unresolved disputes shall be referred to the EDCOE Superintendent. The EDCOE Superintendent, or designee, shall contact the Health Services Department Director, or designee, for the purpose of meeting within thirty (30) calendar days from the date of referral to resolve any dispute not resolved in Step 1. (Step 2)</p>	<p>B. Unresolved disputes shall be referred to the Health Services Department Director. The Health Services Director, or designee, shall contact the EDCOE Superintendent, or designee, for the purpose of meeting within thirty (30) calendar days from the date of referral to resolve any dispute not resolved in Step 1. (Step 2)</p>
<p>C. Whenever a notification is filed of a dispute, the pupil affected by the dispute shall be provided with the appropriate related education services or designated instruction pending resolution of the dispute. CA Gov Code § 7585 (f)</p>	<p>C. Whenever a notification is filed of a dispute, the pupil affected by the dispute shall be provided with the appropriate related mental health services pending resolution of the dispute. CA Gov Code § 7585 (f)</p>

EXHIBIT "A"
DESCRIPTION OF SERVICES AND RESPONSIBILITIES

Title 2 CCR § 60010. EDUCATION DEFINITIONS.

- (a) Words shall have their usual meaning unless the context or a definition of a word or phrase indicates a different meaning. Words used in their present tense shall include the future tense; words in the singular form shall include the plural form; and use of the masculine gender shall include the feminine gender.
- (b) "Administrative designee" means the individual who fulfills the role as described in paragraph (l) of subsection (b) of Section 56341 of the Education Code and paragraph (l) of subsection (a) of Section 300.344 of Title 34 of the Code of Federal Regulations.
- (c) "Assessment" means an individual evaluation of a pupil in all areas of suspected disability in accordance with Sections 56320 through 56329 of the Education Code and Sections 300.530 through 300.534 of Title 34 of the Code of Federal Regulations.
- (d) "Assessment plan" means a written statement that delineates how a pupil will be evaluated and meets the requirements of Section 56321 of the Education Code.
- (e) "Confidentiality" means the restriction of access to verbal and written communications, including clinical, medical and educational records, to appropriate parties under Section 99.3 of Title 45 of the Code of Federal Regulations, Section 300.560 et seq. of Title 34 of the Code of Federal Regulations, Sections 827, 4514, 5328, and 10850 of the Welfare and Institutions Code, Section 2890 of Title 17 of the California Code of Regulations, and Sections 49060 through 49079 of the Education Code.
- (f) "County superintendent of schools" means either an appointed or elected official who performs the duties specified in Chapter 2 (commencing with Section 1240) of Part 2 of Title 1 of the Education Code).
- (g) "Day" means a calendar day pursuant to Section 56023 of the Education Code. *(Unless otherwise specified.) Clarification Added.*
- (h) "Designated instruction and services" means specially designed instruction and related services described in subsection (b) of Section 56361 and subsection (b) of Section 56363 of the Education Code, and Section 3051 of the Title 5 of the California Code of Regulations, as may be required to assist a pupil with a disability to benefit educationally.
- (i) "Individualized education program," hereinafter "IEP," means a written statement developed in accordance with Section 7575 of the Government Code, Sections 56341 and 56342 of the Education Code and Sections 300.340 through 300.350 of Title 34 of the Code of Federal Regulations, which contains the elements specified in Section 56345 of the Education Code and Section 300.347 of Title 34 of the Code of Federal Regulations.
- (j) "Individualized education program team," hereinafter "IEP team," means a group, which is constituted in accordance with Section 56341 of the Education Code and Title 20, United States Code Section 1414(d)(1)(B).
- (k) "Local education agency," hereinafter "LEA," means a school district or county office of education, which provides special education and related services.
- (l) "Local interagency agreement" means a written document negotiated between two or more public agencies which defines each agency's role and responsibilities for providing services to pupils with disabilities and for facilitating the coordination of these services in accordance with the provisions of Section 56220 of the Education Code.

EXHIBIT "A"
DESCRIPTION OF SERVICES AND RESPONSIBILITIES

Title 2 CCR § 60010. EDUCATION DEFINITIONS: Continued

- (m) "Necessary to benefit from special education" means a service that assists the pupil with a disability in progressing toward the goals and objectives listed in the IEP in accordance with subsection (d) of Section 7572 and paragraph (2) of subsection (a) of Section 7575 of the Government Code.
- (n) "Nonpublic, nonsectarian agency" means a private, nonsectarian establishment or individual that is certified by the California Department of Education and that provides related services and/or designated instruction and services necessary for a pupil with a disability to benefit educationally from the pupil's IEP. It does not include an organization or agency that operates as a public agency or offers public service, including but not limited to, a state or local agency, or an affiliate of a state or local agency, including a private, nonprofit corporation established or operated by a state or local agency, a public university or college, or a public hospital.
- (o) "Nonpublic, nonsectarian school" means a private, nonsectarian school that enrolls individuals with exceptional needs pursuant to an IEP, employs at least one full-time teacher who holds an appropriate credential authorizing special education services, and is certified by the California Department of Education. It does not include an organization or agency that operates as a public agency or offers public services, including but not limited to, a state or local agency, or an affiliate of a state or local agency, including a private, nonprofit corporation established or operated by a state or local agency or a public university or college.
- (p) "Parent" includes any person having legal custody of a child. "Parent," in addition, includes any adult pupil for whom no guardian or conservator has been appointed and the person having custody of a minor if neither the parent nor legal guardian can be notified of the educational action under consideration. "Parent" also includes a parent surrogate who has been appointed in accordance with Section 7579.5 of the Government Code and Section 56050 of the Education Code. The term "Parent" does not include the state or any political subdivision of government.
- (q) "Pupil" or "Pupil with a disability" means those pupils, birth through 21 years of age, as defined in Section 300.7 of Title 34 of the Code of Federal regulations, including those with mental retardation or autism, who meet the requirements of Sections 56026 of the Education Code and Sections 3030 and 3031 of Title 5 of the California Code of Regulations and who, because of their impairments, need special education and related services as defined in subsections (22) and (25) of Section 1401 of Title 20 of the United States Code. This term includes handicapped children, children with disabilities and individuals with exceptional needs as defined in Section 56026 of the Education Code. The determination that an individual is a pupil with a disability is made only by an IEP team pursuant to Section 56342 of the Education Code.
- (r) "Qualified" means that a person has met federal and state certification, licensing, registration, or other comparable requirements which apply to the area in which he or she is providing special education or related services, or, in the absence of such requirements, meets the state-education-agency-approved or recognized requirements and adheres to the standards of professional practice established in federal and state law or regulation, including the standards contained in the California Business and Professions Code.

EXHIBIT "A"
DESCRIPTION OF SERVICES AND RESPONSIBILITIES

Title 2 CCR § 60010. EDUCATION DEFINITIONS: Continued

- (s) "Related services," means those services that are necessary for a pupil with a disability to benefit from his or her special education program in accordance with paragraph Title 20, United States Code Section 1401(22).
- (t) "Special education" means specially designed instruction and related services to meet the unique needs of a pupil with a disability, as described in Section 56031 of the Education Code and Section 300.26 of Title 34 of the Code of Federal Regulations.
- (u) "Special education local plan" means a plan developed in accordance with Sections 56200 through 56218 of the Education Code which identifies each participating LEA's roles and responsibilities for the provision of special education and related services within the service area.
- (v) "Special Education Local Plan Area," hereinafter "SELPA," means the service area covered by a special education local plan, and is the governance structure created under any of the planning options of Section 56200 of the Education Code.

EXHIBIT "A"
DESCRIPTION OF SERVICES AND RESPONSIBILITIES

Title 2 CCR § 60020. MENTAL HEALTH DEFINITIONS.

- (a) "HEALTH SERVICES DEPARTMENT, MENTAL HEALTH DIVISION (MHD)" means a mental health program established by a county in accordance with the Bronzan-McCorquodale Act, Part 2 (commencing with Section 5600) of Division 5 of the Welfare and Institutions Code.
- (b) "County of origin" for mental health services is the county in which the parent of a pupil with a disability resides. If the pupil is a ward or dependent of the court, an adoptee receiving adoption assistance, or a conservatee, the county of origin is the county where this status currently exists. For the purposes of this program the county of origin shall not change for pupils who are between the ages of 18 and 22.
- (c) "Expanded IEP team," means an IEP team constituted in accordance with Section 7572.5 of the Government Code. This team shall include a representative of the HEALTH SERVICES DEPARTMENT, MENTAL HEALTH DIVISION (MHD) authorized to make placement decisions.
- (d) "Host County" means the county where the pupil with a disability is living when the pupil is not living in the county of origin.
- (e) "Local mental health director" means the officer appointed by the governing body of a county to manage a HEALTH SERVICES DEPARTMENT, MENTAL HEALTH DIVISION (MHD).
- (f) "Medication monitoring" includes all medication support services with the exception of the medications or biologicals themselves and laboratory work. Medication support services include prescribing, administering, dispensing and monitoring of psychiatric medications or biologicals necessary to alleviate the symptoms of mental illness.
- (g) "Mental health assessment" is a service designed to provide formal, documented evaluation or analysis of the nature of the pupil's emotional or behavioral disorder. It is conducted in accordance with Sections 56320 through 56329 of the Education Code by qualified mental health professionals employed by or under contract with the HEALTH SERVICES DEPARTMENT, MENTAL HEALTH DIVISION (MHD).
- (h) "Mental health assessment plan" means a written statement developed for the individual evaluation of a pupil with a disability who has been referred to a HEALTH SERVICES DEPARTMENT, MENTAL HEALTH DIVISION (MHD) to determine the need for mental health services in accordance with Section 56321 of the Education Code.
- (i) "Mental health services" means mental health assessments and the following services when delineated on an IEP in accordance with Section 7572(d) of the Government Code: psychotherapy as defined in Section 2903 of the Business and Professions Code provided to the pupil individually or in a group, collateral services, medication monitoring, intensive day treatment, day rehabilitation, and case management. These services shall be provided directly or by contract at the discretion of the HEALTH SERVICES DEPARTMENT, MENTAL HEALTH DIVISION (MHD) of the county of origin.
- (j) "Qualified mental health professional" includes the following licensed practitioners of the healing arts: a psychiatrist; psychologist; clinical social worker; marriage, family and child counselor; registered nurse, mental health rehabilitation specialist, and others who have been waived under Section 5751.2 of the Welfare and Institutions Code. Such individuals may provide mental health services, consistent with their scope of practice.