



# County of El Dorado

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## Legislation Text

**File #:** 10-0774, **Version:** 1

Health Services Department, Mental Health Division, recommending the Board authorize the Chair to sign Memorandum of Understanding 367-M1011 with El Dorado County Office of Education through which the Mental Health Division will receive \$80,000 for the term of July 1, 2010 through June 30, 2011 to provide mental health services to students with disabilities in accordance with the student's Individualized Education Program.

**FUNDING:** Federal Individuals with Disabilities Education Act funding.

BUDGET SUMMARY:		
Total Estimated Funding		\$80,000
Funding		
Budgeted	\$80,000	
New Funding	\$	
Savings	\$	
Other	\$	
Total Funding Available	\$80,000	
Change To Net County Cost		\$0

**Fiscal Impact/Change to Net County Cost:** The total funding available through this Agreement is \$80,000. There is no Net County Cost associated with this Agreement.

**Contract Termination:** This Agreement includes a provision for either party to terminate the Agreement without cause in seven (7) days upon written notice.

**Reason for Recommendation:** In 1984, AB 3632 transferred the responsibility for providing mental health services for Special Education pupils from the schools to the counties. The cost of these mandated services is partially funded by Federal IDEA funds (SB77). Federal regulations require that these funds be routed through local Offices of Education to county mental health departments. AB 1765 (Chapter 157, Statutes of 2003) provides for the transfer of these funds and requires a Memorandum of Understanding (MOU) between MHD and EDCOE.

These federal IDEA funds reimburse the Department for only a small portion of the costs associated with providing these mandated services. The State provides additional funding through an annual State General Fund allocation and the SB 90 mandated claims process. Because of the State budget crisis, the County's receipt of both AB 3632 and SB 90 funding is uncertain. Without AB 3632 and SB 90 funding, the Department must provide this mandated service without full reimbursement. The Department is making all reasonable efforts to limit these costs while still meeting its legal obligation to serve this population.

The Mental Health Division recommends the Board of Supervisors approve and authorize the Chair to sign the MOU between MHD and EDCOE to allow the transfer of Federal IDEA funds from the State for mental health services to Special Education Pupils for the Fiscal Year 2010/11.

This agreement covers the period July 1, 2010 through June 30, 2011. This MOU is retroactive to July 1, 2010 due to additional time needed to research the background and appropriateness of including the General Assurances (Exhibit A) and Federal Funds Conditions (Exhibit B).

Approval of this agreement will allow for continued partial funding of services mandated by AB 3632.

Action to be taken following Board approval:

1. Chair to sign three (3) original Agreements.
2. Board Clerk's Office to return two (2) original Agreements to the Health Services Department, Mental Health Division.
3. Mental Health Division to distribute as appropriate.

Contact: Neda West, Health Services

Concurrences: This agreement has been approved by County Counsel and Risk Management and a copy is on file in the Board Clerk's Office.