

COUNTY OF LOS ANGELES – DEPARTMENT OF MENTAL HEALTH

F A C T S H E E T

**AUTHORIZATION FOR ACCEPTANCE OF FEDERAL INDIVIDUALS WITH
DISABILITIES EDUCATION ACT FUNDS
AND
APPROVAL OF MEMORANDUM OF UNDERSTANDING WITH LOS ANGELES
COUNTY OFFICE OF EDUCATION FOR FISCAL YEAR 2004-2005
(ALL SUPERVISORIAL DISTRICTS)**

REQUEST

1. Authorize the receipt of Federal Individuals with Disabilities Education Act (IDEA) funds totaling \$13,832,574 from the Los Angeles County Office of Education (LACOE) for Fiscal Year (FY) 2004-2005 only for mental health services to eligible students identified with disabilities and with an individualized education plan (IEP). Effective upon Board approval, these Federal IDEA funds, which were allocated to LACOE by the California Department of Education by Senate Bill (SB) 1895, Chapter 493, Statutes of 2004, will be transferred to the County of Los Angeles on behalf of the Department of Mental Health (DMH) for FY 2004-2005 only. These funds are included in DMH's FY 2004-2005 Adopted Budget.
2. Approve the Memorandum of Understanding (MOU) with LACOE to allow for the transfer of these Federal IDEA funds in order to comply with legislation and instruct the Chair of the Board and the Executive Officer, Board of Supervisors, to sign and certify two original MOUs.

PURPOSE/JUSTIFICATION

Board approval is required to receive the IDEA funding allocation from LACOE to allow County to provide State-mandated mental health services (referred to as "AB 3632" or "Chapter 26.5 services"), without interruption, to eligible students identified with disabilities and with an IEP, pursuant to Government Code Section 7570 et seq. (Chapter 1747, Statutes of 1984). SB 1895 provides Federal IDEA funds for mental health services, pursuant to Government Code Section 7570 et seq., through County Offices of Education, which in Los Angeles County is LACOE.

The MOU is retroactive to July 1, 2004, as a result of LACOE's late submission of the MOU to the County on April 25, 2005. Untimely submission of this Board letter meets the exemption criteria number two (2) shown in the Chief Administrative Officer's September 7, 2000, memo regarding timely submission of Board letters related to contracts.

CONTRACTOR

LACOE is the nation's largest regional education agency that is fiscally independent from Los Angeles County government. Under the leadership of the County Superintendent of schools and the County Board of Education, LACOE's goal is to help the County's public school students achieve the best possible education by:

- working closely with students with disabilities, juvenile offenders and others who are at risk of dropping out of school or who have special educational needs;
- providing specialized training in technology and professional development programs;
- strengthening students' families with parenting programs, literacy classes, and job development services;
- providing specialized support, consultation, and technical assistance services; and
- developing collaborative partnerships to foster student achievement.

In California, counties are responsible for providing mental health services to students when required in the student's IEP under statute and regulation (Government Code section 7570 et seq.). This is a Federal mandate under IDEA.

In the FY 2002-2003 State Budget, the \$12 million categorical funding was eliminated, and an indefinite moratorium on SB 90 mandate reimbursements to local government was implemented. Thus, since July 1, 2002, California counties have not received any funding to pay for the mental health services provided to more than 27,000 disabled students statewide, including approximately 6,000 in Los Angeles County.

During the past year, intensive and extensive efforts were made to try to identify a long-term permanent solution to the lack of funding for this Federal and State mandated program, but without success. While these efforts continue, in the FY 2004-2005 Budget Act (SB 1895), the State provided funding of \$13,832,574 in Federal IDEA dollars to the County of Los Angeles, for FY 2004-2005 only, in order to sustain the program.

SB 1895 also defines the allocation methodology for the disbursement of funds to the counties. Since Federal law requires that IDEA funds be allocated only at local education agencies, the funds are granted to the County Office of Education of each county. Legislation further stipulates that the local County Office of Education shall contract with the local Mental Health Plan for the transfer of these funds in their entirety. The allocation amount to each county is determined by a formula based on previous categorical funding allocation and SB 90 mandate claims from FY 2001-2002. Los

Angeles County is to receive \$13,832,574 for FY 2004-2005 according to the allocation formula approved by the State.

CONTRACTING PROCESS

This contract with LACOE is mandated by legislation as the means for the County to receive the allocated funds. The MOU, which is substantially the same as that being used by other counties for this purpose, is designed solely for the purpose of having LACOE provide the funds as set forth in the legislation.

RK:KT:PP