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CHARTERSELPA

**NON-PUBLIC SCHOOL
RESIDENTIAL TREATMENT
SITE-BASED THERAPEUTIC
FUNDING GUIDELINES**

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AT A GLANCE FUNDING GUIDELINES

	Non-Public School	Residential Treatment Facility	Site-Based Therapeutic
Description	Reimbursement for IEP-based mental health services for students in an NPS setting	Reimbursement for IEP-based room and board for students in an RTC setting	Reimbursement for structured on-site therapeutic programs that meet specific criteria
Special Education Eligibility	Students with IEPs	Students with IEPs	Students with IEPs that meet the eligibility of Emotional Disturbance
Allocation Formula	Funding for direct service time for mental health services as stated in the IEP; reimbursed at 90% or as adjusted in the finding of sufficiency of funds	Funding for room and board up to the stated Short-Term Residential Therapeutic Program (STRTP) rate for the fiscal year of placement	Funding for direct service time for mental health services as stated in the IEP; reimbursed at 80% or as adjusted in the finding of sufficiency of funds.
Student Transportation Costs Related to Placement	Yes	Yes	No
Parent Transportation Costs Related to Placement	No	For IEP-based Parent Counseling	No
Budget Request Requirements	Required by October 1 for continuing placements or within 30 days of placement for new placements	Required by October 1 for continuing placements or within 30 days of placement for new placements	Required by November 1
Payment Schedule	Quarterly, with submitted expenditure reporting	Quarterly, with submitted expenditure reporting	Initial payment in February with an approved budget request. Final payment follows final expenditure reporting.
Final Expenditure Report Due	July 15	July 15	July 15
Expenditure Restrictions	Reimbursement restricted to mental health services, excluding Day Treatment (540) and transportation.	Reimbursement restricted to room/board and transportation costs to place student or parent visits to access IEP-based counseling services.	Classified Salaries and supplies are excluded from reimbursement.
Indirect Costs Allowed	Yes	Yes	Yes

ERMHS ALLOCATION PLAN

The Allocation Plan can be found on the Charter SELPA Website: [Charter SELPA Allocation Plan](#).

SITE-BASED THERAPEUTIC (SBT) PROGRAM OVERVIEW

Site-Based Therapeutic (SBT) Program Description

SBT funds serve students with a primary or secondary disability identified as Emotional Disturbance (ED) who benefit from a structured therapeutic, educational program for ERMHS at a school site. The program includes mental health services as part of a structured, multi-disciplinary program. The core components of a SBT program may consist of:

- A therapeutic program structured by process and skill-building groups
- Is accessible for the continuous, scheduled hours of program operation
- Includes staff and activities that teach, model, and reinforce constructive interactions
- Includes peer and staff feedback to students on strategies for symptom reduction, increasing adaptive behaviors, and reducing subjective distress
- Occurs daily for at least three hours during school hours

Eligible ERMHS Expenditures

For a student to be considered part of the site-based program and for the purposes of reimbursement, they must have any combination of the following services identified in the student's IEP:

- 510: Individual Counseling
- 515: Counseling and Guidance
- 520: Parent Counseling and Training
- 525: Social Work Services
- 530: Psychological Services
- 535: Behavior Intervention Services

Costs may include those for the following items:

- **Certificated Salaries:** A direct employee of the school who holds the proper certification to provide mental health services (see [Charter-ERMHS-Guidelines.pdf \(charterselpa.org\)](#) for more detail)
- **Benefits/Health and Welfare:** Applicable benefits for certificated and classified staff
- **Contracted Services:** A CDE approved Non-Public Agency (NPA), Non-Public School (NPS), or a sub-contractor of a County Mental Health or other public agency.
- *Classified Salaries are not allowable for Site-Based programs*

As per the IEP, only direct service time is eligible for reimbursement through the NPS/RTC/SBT funding stream. Administrative costs (prep time, IEP meetings, etc.) are not reimbursable. ERMHS assessments are not eligible for reimbursement.

Process for funding

Requesting funds for a Site-Based Therapeutic program is a two-part process that includes reviewing an LEA's program and requesting funding.

The first part of the process requires submitting an Annual Mental Health Plan (AMHP). The LEA submits the AMHP via the Fiscal Portal by November 1 (or the following Monday if November 1 falls on a

weekend). Site-based programs are subject to a site visit, which will occur between November 1 and January 31 as part of the review process. The AMHP should include the following elements:

- A description of your Site-based program, including the services provided, the credentials of the specialists providing the services, and how often progress monitoring occurs
- An identification of staff and/or NPAs providing services and verification of proper credentials
- A description of your LEA's assessment process
- A verification of proper documentation practices
- The name and title of who is monitoring the effectiveness of the ERMHS program
- An assurance that the information provided is true and accurate

The second part of the process requires the submission of a Budget Request. The LEA submits the Budget Request via the Fiscal Portal no later than November 1 (or the following Monday if November 1 falls on a weekend) to determine an LEA's preliminary funding. Final funding will be dependent upon final expenditures. The Budget Request should include the following elements:

- Budget request detail (by object code)
 - Certificated Salaries
 - Benefits/Health and Welfare
 - Books or Supplies
 - Contracted Services
 - Indirect Costs
- Brief narrative of costs, including FTE, salary and benefit rates, contract hours, and contract rates

Preliminary funding is based on the submitted and approved budget request. Preliminary funding will be prorated to 80% and is subject to change pending approved requests and the annual budget. A local contribution of 20% is expected for a Site-Based Therapeutic program, which may increase or decrease with subsequent sufficiency findings, subject to the annual budget for SBT programs. Final funding will be based on the lesser of preliminary funding or final expenditures.

NON-PUBLIC SCHOOL (NPS) with or without RESIDENTIAL TREATMENT CENTER (RTC) OVERVIEW

NPS Program Description

This funding is intended to reimburse LEAs when an NPS or NPS/RTC placement is required to provide ERMHS effectively. When a student has educationally related needs that exceed the current placement with mental health supports and services, it may be necessary for the IEP team to consider a non-public school option, with or without residential care. This facility would provide intensive therapeutic services to support the student in accessing their educational program. When this is the case, it is required that the LRE options and continuum of services have been exhausted. Attendance at such IEP meetings is required by a comprehensive IEP team, including all service providers, site administrator, special education administrator/designee, SELPA involvement, mental health service provider, and receiving residential facility (if appropriate).

At times, an IEP team may consider a residential treatment option. This facility would provide intensive therapeutic services to support the student in accessing their educational program. When this is the case, it is required that the LRE options and continuum of services have been exhausted. Attendance at such IEP meetings is required by a comprehensive IEP team, including all service providers, site administrator, special education administrator/designee, possible SELPA involvement, mental health service provider, and receiving residential facility (if appropriate).

Eligible ERMHS Expenditures

For a student to be considered part of the program, for the purposes of reimbursement, they must have any combination of the following services identified in the student's IEP:

- 510: Individual Counseling
- 515: Counseling and Guidance
- 520: Parent Counseling and Training
- 525: Social Work Services
- 530: Psychological Services
- 535: Behavior Intervention Services
- 545: Residential Treatment Services

Costs may include those for the following items:

- Contracted Services: A CDE Non-Public School (NPS) or other public agency (i.e., a local school district running a therapeutic program)
- Transportation for student (limited to mileage, airfare for student, meals en route to placement)
- Transportation for others (limited to mileage, airfare, meals, and/or car rental necessary to transport student for placement and/or access Parent Counseling if included in the IEP)
- Indirect Costs

As per the IEP, only direct service time is eligible for reimbursement through the ERMHS funding stream. Administrative costs (prep time, IEP meetings, etc.) are not reimbursable. ERMHS assessments do not qualify for reimbursement. Although educational services are provided by the NPS, LCFF revenue is

received by the LEA for each student placed at an NPS. Educational costs may not be paid from ERMHS revenue. Therefore, a test is generated to ensure that the educational costs submitted in the budget template are equal to or greater than the LCFF revenue generated for the student.

Funding for ERMHS-related services will be determined by the NPS rate structure as follows:

- Individual Rates--If an NPS's rates are identified as individual service rates, the per session costs of eligible services will be funded at the established funding percentage.
- All Inclusive Daily Rate—utilizing the service minutes each day and the number of days in the contract period, a percentage of time per service is calculated. The ratio is then applied to overall costs (daily rate times the number of days) to determine the funding per service.
- Daily Mental Health Rate-- utilizing the service minutes each day and the number of days in the contract period, a percentage of time per service is calculated. The ratio is then applied to overall costs (daily mental health rate times the number of days) to determine the funding per service.

Process for funding

A separate budget request is required for each student placement, and a student ID must be provided. After approval, changes to an IEP and, subsequently, the NPS contract require a new budget request with the revised services and projected costs. The Budget Request is submitted by the LEA via the Fiscal Portal by October 1 (or the following Monday if October 1 falls on a weekend) for continuing placements from the prior year or within 30 days of a new placement. The budget request will determine an LEA's preliminary funding. Final funding will be dependent upon final expenditures. The Budget Request should include the following elements:

- Rates, as agreed upon in the Master Contract (rate sheet must be uploaded)
- Individual Service Agreement (ISA)
- Dates of placement
- Service minutes per day
- ERMHS services, as per the student's IEP
- Transportation costs (contract must be uploaded)

Preliminary funding is based on the submitted and approved budget request. Preliminary funding will also be prorated to 90% for ERMHS services. A local contribution of 10% is expected for the ERMHS portion of this funding stream, which may increase or decrease with subsequent sufficiency findings, subject to the annual budget for NPS placements. Room and board costs are funded at 100%, and costs above the annual budget will be funded with Rate Smoothing Pool funds. Final funding will be based on the lesser of preliminary funding or final expenditures.

SETTLEMENT AGREEMENTS

On occasion, an LEA may find themselves involved in a settlement agreement following a Due Process filing. Mental health-related services provided by an NPS or RTC may be included in the settlement agreement and may be eligible for reimbursement, regardless of when services are provided.

Eligible Expenditures

For a settlement agreement to be considered for reimbursement, the student must have a combination of the following services identified in the student's IEP:

- 510: Individual Counseling
- 515: Counseling and Guidance
- 520: Parent Counseling and Training
- 525: Social Work Services
- 530: Psychological Services
- 535: Behavior Intervention Services
- 545: Residential Treatment Services

Costs may include those for the following items:

- Contracted Services: A CDE Non-Public School (NPS) or other public agency (i.e., a local school district running a therapeutic program).
- Transportation for student (limited to mileage, airfare for student, meals en route to placement).
- Transportation for others (limited to mileage, airfare, meals, and/or car rental necessary to transport student for placement and/or access Parent Counseling if included in the IEP).

Settlement Agreements are subject to the same reimbursement schedule as an NPS/RTC and will be included in the Finding of Sufficiency that determines the final proration factor. To request reimbursement, submit a request through the Fiscal Portal:

- Navigate to app.edcoecharterselpa.org/FiscalPortal and log in. If you do not have credentials for the Fiscal Portal, send an email requesting access to charterselpabusiness@edcoe.org.
- From the menu bar on the left side of the screen, click on "Mental Health (ERMHS)", then select "Settlement Agreement."
- Enter the following information:
 - Charter School (from a dropdown menu).
 - Settlement Amount.
- Where it says, "Upload Settlement Agreement" click "Browse..." and select the settlement agreement PDF file to upload.
- Click the checkbox where it says, "By checking this box, I certify that the information and documents provided are true, accurate, and complete to the best of my knowledge and belief."
You will not be able to move forward without making this selection.
- Enter the following information in the remaining fields:
 - Business/Fiscal Contact (usually the Chief Financial Officer).
 - Business/Fiscal Title.

- Business/Fiscal Email.
 - Business/Fiscal Phone.
- Click "Submit."

The SELPA Business Services team will be notified that a document has been submitted, at which point it will be reviewed by a Program representative and a Business Services representative, and your approved settlement amount will be processed for payment with the next payment batch.

If there is any missing information, a SELPA staff member will notify the Fiscal Contact to notify them of what information is missing.

FUNDING DETERMINATIONS

SELPA Level Determinations

In accordance with the Allocation Plan, a Finding of Sufficiency of funding will occur by May of each year. This determination allows the SELPA to increase funding by state and federal revenue fluctuations and anticipated budget requests.

REPORTING TIMELINE

All reporting is done through the Fiscal Portal (www.app.charterselpa.org/FiscalPortal).

- Site-Based Therapeutic Program
 - Site-Based – [Annual Mental Health Plan](#), due November 1
 - Site-Based – [Budget Request](#), due November 1
 - Site-Based – [Final Expenditure Report](#), due July 15
- NPS/RTC Placement
 - NPS/Residential – [Budget Request](#), due October 1 for continuing placements, due 30 days after new placement
 - NPS/Residential – [Quarterly Expenditure Report](#) (optional), due October 15, January 15, April 15
 - NPS/Residential – [Final Expenditure Report](#), due July 15

Due dates may be extended, at the SELPA's discretion, due to technical difficulties or other extenuating circumstances.

REQUIRED CHARTER LEA DOCUMENTATION

- Charter LEAs are responsible for:
 - Maintaining documentation for all costs claimed.
 - Maintaining student records, as appropriate, in accordance with Family Educational Rights and Privacy Act (FERPA) and LEA policies. The mental health service provider shall have access to all educational records and files as a function of public education services.
 - Maintaining documentation to support the certificated and classified salaries billed and affiliated with ERMHS funding.
 - Ensuring and maintaining documentation related to staff certification from outside entities (certified NPAs, NPSs, other public agencies) in accordance with the requirements in the Master Contract or MOU.
 - Maintaining service logs related to ERMHS services delivered at the LEA or with outside agencies.
 - Maintaining documentation for Site-Based Structured Therapeutic ERMHS Programs, which may include program design, staffing, staff certification, and salaries.
 - Maintaining and updating all SEIS records promptly to reflect student needs and placement.
 - Maintaining current Exchange of Information forms between LEA staff and NPA/S staff or outside providers to discuss student's mental health, medical, and educational needs.
 - Ensuring that all the student's IEP Goals, including Behavior Intervention Plan, Behavior goals, and Counseling goals, are updated and communicated to IEP Team members at intervals determined in the student's IEP.
 - Maintaining Behavior Emergency Reports on students receiving ERMHS support, particularly for students in NPS or NPS-Residential settings.
 - Scheduling and holding IEP meetings to discuss Behavior Emergency Reports.
 - Procuring, maintaining, and updating (as appropriate) Master Contracts and Individual Service Agreements annually, even for students previously placed in an NPS or NPS-Residential setting.
 - Maintaining progress reports and timelines that align with IDEA mandates. Placement in an NPS or NPS-Residential setting does not negate an LEA's obligation to offer annual and triennial IEP meetings with appropriate testing.
 - Ensuring that students in NPS or NPS-Residential settings are administered mandated state testing, even when placed out-of-state.
 - Ensuring that the staff at NPS or NPS-Residential setting has been AB1172 trained.
 - The Charter SELPA may review IEP ERMHS data on the frequency and duration of services and compare employee FTE claimed and NPA contracted services to determine a reasonable relationship between services and costs.

ALLOWABLE AND NON-ALLOWABLE COSTS

Object Code	Description	Site-Based Therapeutic Program	NPS / Residential
1000	Certificated Salaries. ERMHS provided by counselors, psychologists, and other approved providers.	Yes	No
2000	Classified Salaries. Behavioral aides or staff providing ERMHS.	No	No
2000	Classified salaries for any administrative employees, office staff, or support person not providing ERMHS	No	No
3000	Benefits (medical, retirement, workers comp, unemployment, etc.) related to employees providing ERMHS.	Yes	No
3000	Benefits for administrative employees and other support not providing ERMHS	No	No
4000	Books or supplies related to ERMHS	Yes	No
4000	Books or supplies not related to ERMHS	No	No
5000	Contracted Services with NPS or NPA for ERMHS	Yes	Yes
5000	Other operating costs (facility lease, utilities, custodial, etc.)	No	No
6000	Capital Outlay	No	No
7000	Indirect	Yes	Yes
	Transportation Costs	No	Yes
	ERMHS Assessment Costs	No	No

APPENDIX – OTHER RESOURCES

SEIS Descriptions for ERMHS

- 510 (Individual Counseling):** One-to-one counseling provided by a qualified individual pursuant to an IEP. Counseling may focus on aspects, such as educational, career, personal; or be with parents or staff members on learning problems or guidance programs for students. Individual counseling is expected to supplement the regular guidance and counseling program. (34 CFR § 300.24(b)(2), (CCR Title 5 §3051.9).
- 515 (Counseling and Guidance):** Counseling in a group setting, provided by a qualified individual pursuant to an IEP. Group counseling is typically social skills development, but may focus on aspects, such as educational, career, personal; or be with parents or staff members on learning problems or guidance programs for students. IEP-required group counseling is expected to supplement the regular guidance and counseling program. (34 CFR §300.24. (b)(2)); CCR Title 5 §3051.9) Guidance services include interpersonal, intrapersonal, or family interventions, performed in an individual or group setting by a qualified individual pursuant to an IEP. Specific programs include social skills development, self-esteem building, parent training, and assistance to special education students supervised by staff credentialed to serve special education students. These services are expected to supplement the regular guidance and counseling program. (34 CFR 300.306; CCR Title 5 §3051.9).
- 520 (Parent Counseling):** Individual or group counseling provided by a qualified individual pursuant to an IEP to assist the parent(s) of special education students in better understanding and meeting their child's needs; may include parenting skills or other pertinent issues. IEP-required parent counseling is expected to supplement the regular guidance and counseling program. (34 CFR §300.31(b)(7); CCR Title 5 §3051.11).
- 525 (Social Work Services):** Social Work services, provided pursuant to an IEP by a qualified individual, includes, but are not limited to, preparing a social or developmental history of a child with a disability; group and individual counseling with the child and family; working with those problems in a child's living situation (home, school, and community) that affect the child's adjustment in school; and mobilizing school and community resources to enable the child to learn as effectively as possible in his or her educational program. Social work services are expected to supplement the regular guidance and counseling program. (34 CFR §300.24(b) (13); CCR Title 5 §3051.13).
- 530 (Psychological Services):** These services, provided by a credentialed or licensed psychologist pursuant to an IEP, include interpreting assessment results to parents and staff in implementing the IEP; obtaining and interpreting information about child behavior and conditions related to learning; planning programs of individual and group counseling and guidance services for children and parents. These services may include consulting with other staff in planning school programs to meet the

special needs of children as indicated in the IEP. (CFR Part 300 §300.24). IEP-required psychological services are expected to supplement the regular guidance and counseling program. (34 CFR §300.24; CCR Title 5 §3051.10).

- 535 (Behavior Intervention Services):** A systematic implementation of procedures designed to promote lasting, positive changes in the student's behavior resulting in greater access to a variety of community settings, social contacts, public events, and placement in the least restrictive environment. (CCR Title 5 §3001(d)).
- 540 (Day Treatment Services):** Structured education, training, and support services to address the student's mental health needs (Health & Safety Code, Div.2, Chap.3, Article 1, 1502(a)(3))
- 545 (Residential Treatment Services):** A 24-hour out-of-home placement that provides intensive therapeutic services to support the educational program (Welfare and Institutions Code, Part 2, Chapter 2.5, Art. 1, §5671))

