

A billion dollar gamble: Mental health services for special education pupils at risk

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Nearly \$900 million of Federal money will be withheld from the California Department of Education if the state cannot find a solution to a \$130 million dollar funding deficit for mental health treatment services to special education students with emotional/behavioral disturbance.

Mandated by state legislation — AB3632 — in the mid-1980's, county mental health departments have worked with Local Education Agencies (LEA's), to serve special education students who are unable to benefit from public education due to mental

health difficulties. Unique to California, the state mandate designates responsibility for mental health services to counties, though legal experts agree that education has ultimate financial responsibility. In any case, funding for mental health services for special education students has never adequate. Nonetheless, counties were able to fill the financing gap through SB90 claiming, a "back-up" billing mechanism for unfunded mandates like AB3632.

In the current fiscal year California's budget places an indefinite moratorium on SB90 claiming. Consequently, county mental health departments have been unable to claim reimbursement for services being delivered to over 27,000 special education students. The moratorium is

again imposed in next year's proposed budget.

Without SB90 claiming or a fixed date for a solution, county mental health departments are increasingly unlikely to continue to deliver services mandated by a special education student's Individualized Education Plan (IEP). This puts both County Mental Health and LEAs out of

compliance with the Federal mandate known as Individuals with Disabilities Education Act (IDEA). Through IDEA the federal government funds a significant portion — a billion dollars — of California's special education services. Being out-of-compliance

means that these federal special education funds can be withheld. Ignoring this issue, or simply refusing to address it, is a huge gamble that could decimate services to all special education students.

The way it is heading public education and public mental health will simply point the finger at each other and say it is not my responsibility. This stalemate is a high-risk gamble without winners. It jeopardizes not only federal special education funding and critical mental health services to children and youth, it also risks years of partnership development and trust building with parents, students, and other stakeholders.

Now is the time for leadership at the State and local levels. We must not let the current financial crisis divide our collabo-

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CMHACY—a state-wide voice for children's mental health—is a diverse association of citizens dedicated to advancing a comprehensive mental health system for children that:

- *promotes prevention and early intervention*
- *provides child-centered, family focused services within a culturally relevant context*
- *emphasizes community-based co-location of multiple services*
- *serves children in the environment least restrictive to their needs*
- *includes a full continuum of care*
- *requires interagency collaboration/cooperation*
- *advocates for state-wide policy/service standards*
- *assures a public/private partnership at all levels*

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native service delivery systems. We urge the leadership from Education and Mental Health agencies, to work together and seek solutions that will enable California to fulfill its mandate to serve special education students.

Knowledge, skill, creativity, and energy built on a genuine commitment to work together must be used to solve this

problem. We do have choices and it matters how we respond!

Four workshops at the conference are devoted to this important advocacy issue. Register now. We need your voice.

Article contributed by Marty Giffin.

It's not too late!

*April 30—May 2, 2003
(pre-conference April 29th)*

CMHACY CONFERENCE 2003

“It's not just about the money: Toward a new children's coalition”

Asilomar Conference Center Pacific Grove

CMHACY Conference Hotline: 707-795-4261
Registration forms available at website: CMHACY.org