

**MEMORANDUM OF AGREEMENT
BETWEEN
BUNCOMBE COUNTY PUBLIC SCHOOLS
AND
COMMUNITY BASED AGENCIES (CONTRACTORS)**

The Agreement is made and entered into this 17th day of August, 2005 by and between PUBLIC SCHOOLS, hereinafter referred to as SCHOOL and CNC/ACCESS, Inc., Universal Mental Health Services, Inc., Autism Society Of North Carolina, Inc., Mountain Area Community Services, Inc., Mentor, Inc., Families Together, Inc., and New Vista

The purpose of the Agreement is to efficiently and effectively provide mental health Community Based Services (CBS) for Medicaid, Health Choice and Comprehensive Treatment Services Program (CTSP) eligible students in the SCHOOLS.

A. SCHOOL'S OBLIGATIONS

1. The SCHOOL will provide training and/or direction to their staff members regarding the utilization of CBS workers in the schools.
2. The SCHOOL is responsible for the overall instruction and management of the classroom and students, including providing direction regarding school policies and procedures to the CBS worker.
3. The SCHOOL will send referrals for CBS services to a student's Child & Family Team and follow the process outlined in Appendix A, PROCEDURAL CHECKLIST FOR UTILIZATION OF COMMUNITY-BASED SERVICE (CBS) WORKERS IN SCHOOLS.
4. The SCHOOL will ensure that appropriate school staff attends team meetings to process the Referrals.
5. The SCHOOL will ensure that appropriate school staff attends team meetings and implements the recommendations of the student's Child & Family Team regarding the Student's need for support in the school setting, including the CBS worker's assignment, time in classroom and supervision.
6. The SCHOOL will monitor the performance of the CBS workers and communicate as needed with CBS agency providers and/or central office administrators/coordinators. .
7. The SCHOOL will provide school personnel a copy of the *Practices & Procedures for CBS Workers in Buncombe County Schools* and monitor compliance with its provisions.
8. The SCHOOL will provide training in school policies and procedures quarterly to all newly hired CBS workers.
9. The SCHOOL administrators will ensure that CBS workers implement safe school procedures and policies.
10. The SCHOOL will have authority to remove CBS workers and/or request an alternate for workers who do not comply with school policy and/or procedures after appropriate intervention/mediation has occurred.

B. CONTRACTORS' OBLIGATIONS

1. CONTRACTORS will follow Appendix A, PROCEDURAL CHECKLIST FOR UTILIZATION OF COMMUNITY-BASED SERVICE (CBS)WORKERS IN SCHOOLS
2. CONTRACTORS will provide CBS workers a copy of *Practices & Procedures for CBS Workers in Buncombe County School*, require them to attend training provided by the SCHOOL, and provide supervision regarding its compliance.
3. CONTRACTORS will screen all CBS worker applicants, obtain appropriate background checks and provide appropriate supervision and on-going training in compliance with applicable N.C. Administrative Code Rules and N.C. General Statute as well as following SCHOOL policy regarding the selection of personnel pursuant to Buncombe County Board of Education Administrative Regulation, Policy 747 contained in *Practices and Procedures for CBS Workers in Buncombe County Schools*.

4. CONTRACTORS will comply with all liability requirements contained in their contract with the Local Mental Health Entity (LME).
5. CONTRACTORS will provide lists of students receiving CBS services to the Director of Student Services and Assistant Director of Special Services on a monthly basis.
6. CONTRACTORS will provide notice to the Principal when CBS services are to be initiated/terminated with a student in the school setting. Principals and/or designated administrator must be aware and meet a new CBS worker prior to the worker initiating services.
7. CONTRACTORS must comply with safe school procedures regarding an agreed upon identification badge to be displayed while on school grounds.
8. CONTRACTORS will consult with Buncombe County School coordinators prior to implementing agency initiatives and services to ensure they do not contradict or compromise Buncombe County Board Policy, Public Laws of NC, and Individuals with Disabilities Education Act.
9. CONTRACTORS will assess and consider factors such as the ratio of adults to students/clients, class size, other students/clients who may have CBS workers in the classroom, and any other relative information in determining the overall effectiveness and positive impact that a CBS worker will have on an individual student /client and classroom environment. When appropriate, CBS workers should be allocated to provide services for more than one client, especially when multiple CBS workers are assigned to the same school/classroom.

C. MODIFICATION

No modification of this Agreement shall be binding unless reduced to writing and signed by the authorized agent for each party. Each party shall act in good faith in responding to future proposed modifications in order to address effectively any circumstances which may be unforeseen at the time this Agreement is entered into.

D. CONFIDENTIALITY

1. All parties agree to train and monitor *their* staff to ensure the confidentiality of the student receiving services as well as the confidentiality of other students encountered in the school setting.
2. All parties agree that appropriate releases of information, consistent with the Federal Education & Rights to Privacy Act (FERPA) and other appropriate state and federal laws, will be obtained prior to communication between agencies regarding students.

E. CONFLICT RESOLUTION

1. Resolution of concerns regarding the work or conduct of a CBS worker will be sought initially between the classroom teacher and the CBS worker.
2. If the initial attempt at resolution is unsuccessful, the teacher will inform the principal and contact will be made with the CBS worker's agency supervisor. If the concern is on the part of the CBS worker, that worker will inform the agency supervisor, who will contact the SCHOOL principal.
3. The school administrator and agency supervisor will mediate with the concerns parties to resolve the issue. Minutes will be kept of resolution and provided to all parties.
4. If necessary, the case manager will be requested to arrange a team meeting.
5. Any concerns expressed by school administrators, agency supervisors, or LME representatives surrounding the implementation and terms of the MOA will be addressed with a meeting of involved parties and development of an action plan. Minutes of the mediation will be available for determination of an action plan. If an issue is unable to be resolved, see termination section.
6. Documentation of the meetings and procedures used to resolve the conflict will be provided to the Director of Student Services and Assistant Director of Special Services.

F. TERMINATION OF AGREEMENT

Any party may cancel upon a written thirty (30) day notice of this Agreement.

G. TERM

This agreement shall be in effect as of the date signed by SCHOOL and the CONTRACTORS, and shall renew automatically unless modified. Either party to this agreement may terminate participation upon seven days written notice to the other party.

IN WITNESS WHEREOF, each party has caused this Agreement to be executed in multiple copies, each of which shall be deemed an original, as the act of said party.

BUNCOMBE COUNTY SCHOOLS:

Superintendent Date

Finance Officer Date

Director of Special Services Date

CONTRACTORS:

CNC/ACCESS, INC.

MOUNTAIN AREA COMMUNITY SERVICES, INC.

Signature Date

Signature Date

UNIVERSAL MENTAL HEALTH, INC.

AUTISM SOCIETY OF NORTH CAROLINA, INC.

Signature Date

Signature Date

MENTOR, INC.

NEW VISTAS BEHAVIORAL HEALTH

Signature Date

Signature Date

FAMILIES TOGETHER, INC

Signature Date

Appendix A

PROCEDURAL CHECKLIST FOR UTILIZATION OF
COMMUNITY-BASED SERVICE (CBS) WORKERS IN SCHOOLS

- Referral is sent to a Child and Family Team, Student Staff Support Team, or other appropriate team
- The team, comprised of appropriate school administration, community agency staff (including case responsible staff, when applicable), and family members meets to:
 - review concerns about the student's school behavior and discuss effectiveness of any previous interventions;
 - develop a strength-based assessment;
 - develop a plan with new strategies to address problem behaviors;
 - request observation by school administrator, school counselor, or other appropriate Special Services or Student Services staff.
- Interventions are implemented for at least two weeks
- The team meets to determine if CBS worker/tech is needed and, if so, sends request to the case responsible person. This request must include a specific plan for CBS services outlining:
 - behaviors and setting to be targeted;
 - interventions to be done by the CBS worker;
 - amount of CBS time needed in school;
 - transportation arrangements, if needed;
 - crisis definition and procedures;
 - a step-down plan to be used as goals are met
- The plan is presented by the case responsible person to the Utilization Review committee of the appropriate agency.
- The team, consisting of school staff and administration, parent, case responsible person, CBS worker and provider supervisor meets to:
 - finalize all plans, retaining a copy at school for review;
 - set expectations for CBS worker and insure the plan covers all identified problem areas
 - develop benchmarks for when CBS services will no longer be necessary
 - develop a collaboration plan to facilitate regular communication between the CBS worker and the classroom teacher/teacher assistant
- The team meets regularly to monitor and review the plan for CBS services.

*Practices & Procedures for
CBS Workers in
Buncombe County Schools*

CBS AGENCY CONTACTS

This is a list of community CBS agencies and supervisors you should contact if you have questions or concerns about CBS services or providers in your school.

CNC Access
Anthony Devore/Matt Hembree
276 E. Chestnut Street
Asheville, NC 28801
258 – 8881

Mentor Network of NC
Francine Karuba
99 McDowell Street
Asheville, NC 28801
253 – 8177

Temperance House
Karen Cowen
65 Walton Street
Asheville, NC 28801
768-8599

Universal Mental Health
James Revels
1340H Patton Avenue
Asheville, NC 28806
225 – 4980

Autism Society
Amy Hobbs
239 S. French Broad
Asheville, NC 28801

Families Together
Dan Zorn
68 Grove Street Suite A
Asheville, NC 28801
258 - 0031

Mountain Area Community Services
Rick Luther or Rick Zehr
279 Laurel Street
Black Mountain, NC 28711
664 - 0053

Turning Point Services
Mike Brown/Tom Brittain
5 Mountain View
Asheville, NC 28805
298-2100

New Vistas Behavioral Health
Carson Ojamaa (cell) 779-9418
John McDuffie (cell) 777-2346, (pager) 257-0060
267 Biltmore Avenue
Asheville, NC 28801
258 – 2597

Quality Mental Health, Inc.
Dave Norris
8520 Morgan Mill Road
Monroe, NC 28110

236-1547 ext.11

1-866-753-9687
704-753-9687

HELPFUL INFORMATION FOR SCHOOLS

- ✓ Although CBS agencies do their best they can not always find a worker if a CBS worker is absent
- ✓ If you have a question or a concern about a worker contact their supervisor (a list of agencies and phone #'s is included in this handbook)
- ✓ CBS worker's schedules may change as the result of a Team deciding that the client has reached step down criteria, the school should be informed of this change immediately
- ✓ CBS workers should be trained to use crisis intervention techniques but school crisis plans, individualized behavioral plans, individualized education programs and the Asheville City Schools Code of Conduct should also be followed.
- ✓ CBS workers are available to support their client during crisis situations and should communicate with the Principal of the school if a client is a danger to self or others and can not be safely handled at school (CBS workers should not determine the disposition - i.e. school removal). School Counselors, Classroom Staff, Social Workers and (New Vistas) therapists may also be available to support the student.

Job Description: COMMUNITY BASED SERVICE (CBS) WORKERS/TECHNICIANS

CBS Workers provide direct services with the intention to support the mental health needs of clients with significant functional deficits. They are valuable members of their client's Child & Family Teams and their insights and information can assist schools, teachers, therapists, psychologists, parents/guardians and other team members.

This service includes preventive and therapeutic interventions designed to direct client activities, assist with skill enhancement or acquisition, and support ongoing treatment and functional gains.

Ideally, a therapeutic relationship should develop between provider and client which addresses and /or implements interventions outlined in the service treatment plan.

CBS Tech's are required to provide documentation of service by writing daily progress notes indicating interventions implemented for service goals and client responses to those interventions.

Since this service provides functional support to clients in school, we have listed below our expectations of CBS Tech's within the school environment.

CBS WORKERS:

- Will respect, support, and understand that the classroom teacher is responsible for overall instruction and management of the classroom and students; including providing direction regarding school policies and procedures to the CBS worker.
- While in the school setting and in the classroom, the CBS worker should respond and intervene in a manner that is consistent with the expectations of the teacher. It is necessary for CBS workers and the teacher/classroom staff to have when responding or intervening with a student.
- Are trained to be confidential with client's personal history and treatment issues, but can confer with school administrators and teachers who are included on that client's Child and Family Team or who work directly with the student.
- Are required to communicate with client's family, schools, and their employer's office if they are sick or unable to attend school with their client any day, or if they will be late.
- Are required to adopt the dress code for the school they work in.
- Are required to sign in and out of school they work in on a daily basis.
- Will be aware of behavior and/or mental health issues that impede their client's ability to learn and be successful with the schools setting.
- When appropriate, they will provide the client with time and space to accomplish goals on their own within the school setting and in accordance with their behavior service plan.
- Will not be on phone, out of class, reading books/newspapers, or engaged in personal activities.
- Will get involved in class projects, even allowing client to operate independently, when the client is on task.
- Will engage the client in skills such as communication, social skills, anger management, self- esteem, organization, attention/focusing, and behavioral interventions according to the service plan.
- Will be available, if needed, for conflict resolution, and crisis intervention according to the service plan.
- Will work to bring out client's potential – modeling and teaching empathy and respect, empowerment and self-regulatory skills according to the service plan.
- Will establish professional boundaries with the client, diminish power struggles, and help maintain a climate of safety.
- Will provide the following services to client: redirection, supportive counseling, anticipatory guidance, alternative choices, and gestural and verbal prompts according to the service plan.
- Will participate in regularly scheduled supervision which may include a site visit.
- Will work with client's teacher and child and family team to define the individual classroom expectations.
- Will attend all team meetings for their client. If they are unable to attend a meeting, the agency supervisor who has communicated will be present to represent their agency.

CBS AGENCY SUPERVISORS/DIRECTORS SHOULD

- ✓ Provide lists of students receiving CBS services to the Principal and the Director of Exceptional Children on a monthly basis.
- ✓ Provide prior notice to the Principal when CBS services are to be initiated/terminated with a student in the school setting.
- ✓ Provide notice to the Principal when CBS services are to be initiated and/or terminated. Principals must be made aware and/or have the opportunity to meet a new CBS worker prior to the worker initiating services.
- ✓ Assure that the CBS workers are provided a copy and understand the *Collaborative Handbook on Quality Practices & Procedures for CBS Workers in Asheville City Schools*.
- ✓ Know the class size, physical structure, and number of adults (including CBS workers from other agencies) prior to assigning their own CBS worker(s) to a classroom. On occasion, agencies are assigning CBS workers to a school or classroom without considering the overall impact on instruction and the classroom environment resulting in a counter productive impact on the client, teacher, and other students.
- ✓ When appropriate, CBS workers should be allocated to provide services for more than one client, especially when multiple CBS workers are assigned to the same classroom/school.
- ✓ Have a basic understanding of the Public School Laws of NC, Individuals with Disabilities Education Act, and the Asheville City Schools Policies and Procedures so that agency initiatives and services do not contradict or compromise that of the local education agency.
- ✓ Assure that services support the student to make progress in the least restrictive environment with a focus on assisting the student to be independent with their treatment and educational objectives.

CBS WORKERS SHOULD

- ✓ Learn and implement classroom rules and behavior management systems developed by the teacher
- ✓ Get involved in class projects, even allowing client to operate independently, if client is on task.
- ✓ Understand that the classroom teacher is responsible for the overall instruction and management of the all students, including providing direction regarding school policies and procedures to the CBS worker.
- ✓ Interventions and communication should occur in a consistent manner with approval from the classroom teacher.
- ✓ Monitor client's behavior
- ✓ Sign in/out on a daily basis.
- ✓ Give verbal and visual prompts
- ✓ Redirect client's behavior
- ✓ Process behaviors and situations
- ✓ Interact with groups the client is participating in
- ✓ Model appropriate behaviors
- ✓ Remove client from volatile situations for a short time
- ✓ Take clients for short walks or time outs
- ✓ Repeat teacher instructions or assist client with organization
- ✓ Assist school personnel with physical restraints
- ✓ Consult with teachers, principals, school counselors, etc.
- ✓ Develop behavior plans, reward systems, etc.
- ✓ Attend school meetings, IEP teams and Child and Family meetings

CBS WORKERS SHOULD NOT

- ✓ Be responsible for a the class due the absence of a teacher
- ✓ Perform tasks for a teacher (make copies, correct papers, etc.)
- ✓ Remove a student from school without a request from the client's Guardian and notification and/or approval from the Principal
- ✓ Be on the phone, out of class, reading books and newspapers - engaged in their own activities.
- ✓ Work one on one in isolation with a client for long periods of time
- ✓ Provide academic instruction to clients
- ✓ Proctor during school wide testing
- ✓ Restrain a client alone for long periods of time
- ✓ Monitor a client in a time out room or isolation room for long periods of time

