

ORANGE COUNTY
BOARD OF EDUCATION

AGENDA ITEM ABSTRACT

Meeting Date: October 8, 2012

AGENDA ITEM No. 12-10-15

ACTION ITEM: (Y/N) Y

SUBJECT: Triumph Academy Agreement

INFO. CONTACT: G. Patrick Rhodes PHONE: 919-732-8126

ATTACHMENTS: 1. Memorandum of Agreement between OPC Community Operations Center/Cardinal Innovations, Orange County Schools, Chapel Hill-Carrboro City Schools, and Triumph Academy
Re: Triumph Academy Treatment Program.

PURPOSE: The purpose of this item is to allow the board an opportunity to approve an agreement to provide day treatment services.

BACKGROUND: Triumph Academy Day Treatment Program serves students from 6th to 9th grade from Chapel Hill-Carrboro City Schools and Orange County Schools. The day treatment program is short term therapeutic intervention for students whose mental health challenges impair their ability to function in a traditional school setting and for whom less restrictive interventions in their home schools haven't worked. In some cases, day treatment is used for students transitioning from out of county restrictive settings. The goal of the day treatment program is to assist the students and their families to develop the skills and tools needed to eliminate or reduce their mental health symptoms so the students can return to their home school and be academically and socially successful. Participation in the program is voluntary and by the consent of the parent/guardian. Funding streams for the program will include HealthChoice, Medicaid, private insurance, and state mental health funding.

This agreement has been reviewed by counsel.

FINANCIAL IMPACT: Orange County Schools provides a full time equivalent 10-month teacher position to the Triumph Academy. The total cost to Orange County Schools for this position is \$71,550 (salary and benefits) which is covered by federal funds. No state or local appropriations are used for personnel at Triumph Academy.

RECOMMENDATION: The Superintendent recommends the Board of Education approve the Memorandum of Agreement to provide day treatment services.

**Memorandum of Agreement between OPC Community Operations Center/Cardinal
Innovations, Orange County Schools, Chapel Hill-Carrboro City Schools, and Triumph
Re: Triumph Academy Treatment Program**

Purpose of the Day Treatment Program:

Triumph Academy Day Treatment Program will serve students from 6th to 9th grade from Chapel Hill-Carrboro City Schools (CHCCS) and Orange County Schools (OCS). The day treatment program will be a short term therapeutic intervention for students whose mental health challenges impair their ability to function in a traditional school setting and for whom less restrictive interventions in their home schools haven't worked. In some cases, day treatment will be used for students transitioning from out of county restrictive settings. The goal of the day treatment program is to assist the students and their families to develop the skills and tools needed to eliminate or reduce their mental health symptoms so the students can return to their home school and be academically and socially successful. Participation in the program is voluntary and by the consent of the parent/guardian. Funding streams for the program will include HealthChoice, Medicaid, private insurance, and state mental health funding. The program will generally run from 9:00-4:00 for middle school students and from 1:00-4:00 for 9th grade students.

Triumph will:

- Develop and maintain a day treatment program in Orange County that follows all the guidelines in the Division of Medical Assistance Clinical Coverage Policy 8A including the use of evidenced practices and documentation as outlined in the Records Management and Documentation Manual.
- Obtain a background check on all staff hired for the day treatment program.
- Train and monitor all staff to ensure the confidentiality of students enrolled in or discharged from the day treatment program as well as other students encountered in the school setting is protected according to state and federal mental health, substance abuse, and education laws and policies, including but not limited to FERPA, NCGS 122C, 10A NCAC 26B, the Health Insurance Portability and Accountability Act of 1996 (45CFR Parts 160, 162, & 164) and 42 CFR, part 2 and any subsequent modifications thereof.
- Obtain the necessary releases of information from students and/or parents/legally responsible persons and ensure that individuals are provided with informed consent when obtaining releases.
- Provide day to day program oversight and supervision of mental health and teaching staff. Teaching staff will be included whenever possible in all training opportunities offered to mental health staff.
- Develop a Child and Family Team for each student that includes the parent/guardian, student, and appropriate school personnel. The Child and Family Team will develop the Person Centered Plan including the crisis plan for each student.
- Participate with OCS and CHCCS in the development and/or revision of student IEP/504 plans as needed.
- Provide written recommendations and attend meetings with the home school staff for transition planning of each student. The Child and Family Team for each student will

develop an individualized transition plan to assist with each student's return to the home school.

- Provide transportation in afternoon/evening for students who are not able to ride the bus
- Will meet at least monthly with representatives from both school systems and OPC staff to review the development of the day treatment program. This group will identify training needs of both school systems and Triumph Academy day treatment staff and develop a training plan (may include positive behavioral supports, school policies and procedures, and community/school resources).
- Conduct an evaluation of the program that collects information on student progress in the day treatment program and upon return to the home school as well as school satisfaction surveys about the program. The evaluation information will be shared with the school districts, OPC Area Program, and the Orange County Collaborative team.

Orange County Schools and Chapel Hill-Carrboro City Schools will:

- Support students during the Triumph Academy process
 - When making student referrals, provide documentation that interventions in the educational setting have been unsuccessful (e.g. Functional Behavioral Assessment, Functional Behavioral Plan, Individual Education Plan, 504 Plan, behavior plans) and that the student exhibits behavior resulting in significant school disruption or significant social withdrawal.
 - Identify a point person and other designated staff (e.g. behavior specialist, Exceptional Children Program Facilitator) at each school to assist with the referral of students to Triumph for an assessment of day treatment. This point person will also be available to assist in identifying the potential members for the Child and Family Team and in assisting with the transition plan to the home school.
 - Maintain involvement with students enrolled at Triumph Academy through periodic visits.
 - Participate in Child and Family Teams as well as any needed IEP/504 meetings.
 - Actively participate in the transition process back to school, including providing off-schedule transportation.
- Support academic instruction
 - Provide a full-time equivalent 10 month teacher position from each district whose primary role is to provide grade level instruction in reading and math, and at 8th grade, science and to maintain the student's academic progress. The teachers will work from 8:45 a.m. to 4:15 p.m. every Monday through Friday and follow their respective traditional school year calendar for staff.
 - Provide books and other materials for participating students in the subject areas to be covered.
 - Baseline academic skills will be tested and ongoing academic progress will be monitored by the teachers.
 - Provide academic supervision and evaluation of the teacher from the respective districts.
 - Conduct end-of-grade testing either at Triumph or at the home school, depending upon the needs of the student. Each district will designate a testing coordinator other than the Triumph teachers.

- Provide student computers and on-line internet access for curriculum and opportunities for communication with teachers at home-based schools. OCS and CHCCS will share in the cost of computers. Each school district technology support team will provide technical support on a rotational schedule by semester.
- Support overall program
 - Provide district transportation from pre-arranged sites to the day treatment program for students whose parents do not wish to transport them. The Chapel Hill-Carrboro City Schools Board of Education may park its school bus on the grounds of Triumph Academy during the school day. The board agrees to carry comprehensive insurance or risk pool coverage to cover the cost of damage to the school bus while it is parked on the grounds of Triumph Academy.
 - Maintain enrollment and daily attendance of each student in his or her home school.
 - Orange County Schools will deliver breakfasts and lunches to Triumph Academy. CHCCS and OCS students will complete applications for free- and reduced lunch. OCS will prepare and deliver all daily-ordered student meals and CHCCS will reimburse OCS for CHCCS student meals and share in the cost of delivery.
 - Provide information to Triumph Academy staff about student outcomes once students return to their home schools.
 - Meet at least monthly with Triumph and OPC staff to review the development of the day treatment program. This group will identify training needs of both school systems and Triumph Academy day treatment staff and develop a training plan (may include positive behavioral supports, school policies and procedures, and community/school resources).
 - Train and monitor OCS and CHCCS staff according to state and federal mental health, substance abuse, and education laws and policies, including but not limited to FERPA, NCGS 122C, 10A NCAC 26B, the Health Insurance Portability and Accountability Act of 1996 (45CFR Parts 160, 162, & 164) and 42 CFR, part 2 and any subsequent modifications thereof, to ensure the confidentiality of all students enrolled in or discharged from the day treatment program.
 - Teaching staff will be trained in NCI.
 - Develop a contract with Triumph to assist with rental subsidy to maintain the program in the community.

OPC Community Operations Center/Cardinal Innovations will:

- Meet at least monthly with Triumph and OCS and CHCCS staff to review the development of the day treatment program. This group will identify training needs of both school systems and Triumph day treatment staff and develop a training plan (may include positive behavioral supports, school policies and procedures, and community/school resources).
- Monitor service delivery and provider requirements as noted in the Child and Adolescent Day Treatment Services definition in the Division of Medical Assistance Clinical Coverage Policy 8A, the Records Management and Documentation Manual and relevant state and federal statutes and policies.
- Inform Triumph of changes in the crisis response and crisis management services in order for Triumph to maintain up-to-date crisis plans for each student.

All Parties will:

- Develop a joint calendar annually by August which includes transportation coverage and meal coverage, as well as review and modify annually the program procedures manual.
- Review this Memorandum of Agreement yearly and make modifications as needed.
- Protect the confidentiality of any and all individuals and will not discuss, transmit or narrate in any form other information, medical or otherwise, received in the course of providing services hereunder, except as authorized by the individual, his legally responsible person, or as otherwise permitted or required by law. In addition, all parties shall meet all confidentiality requirements promulgated by any applicable government authority including but not limited to NCGS 122C, 10A NCAC 26A, the Health Insurance Portability and Accountability Act of 1996 (45 CFR Parts 160,162, & 164) and 42 CFR. Part 2 and any subsequent modifications thereof.
- Be able to terminate this agreement with a thirty day written notice.
- Agree to resolve concerns through direct communication with the staff person involved. If concerns are not resolved with the staff member, the staff member's supervisor will be contacted. If concerns are still not resolved, the issue will be taken to a meeting of the parties or their designees of the Memorandum of Agreement who will work together to mediate the situation and develop an action plan. If the issue is not able to be resolved, the Agreement may be terminated according to the section below.

Term, Modification, and Termination of the Agreement

- Term: The term of this Agreement will be for a one year period starting on August 20, 2012 and will be renewed automatically unless otherwise noted.
- Modifications to this agreement can be made in writing.
- The agreement can be terminated at any time by any of the parties upon a thirty day written notice to all other Parties.
- OPC Area Program may immediately terminate the Agreement for cause. The cause for termination shall be documented in writing and presented to the other parties detailing the grounds for the termination. As the endorsing agency, OPC Area Program has the exclusive right to terminate this agreement for cause.

Orange County Schools Superintendent

Date

Chapel Hill-Carrboro City Schools Superintendent

Date

OPC Community Operations Center Director

Date

Director of Triumph

Date