

Memorandum of Understanding

A. Background

The XXXX School District, in partnership with the community, is committed to excellence, empowering and challenging all students to learn while preparing them for an ever-changing global society. The School Based Mental Health (SBMH) program offered through the XXXX School District is designed to engage students and family members in mental health services offered by qualified, licensed clinical staff. The program specifically serves students who might not seek these services in clinic settings, or would not have means of transportation to a clinic setting. It is expected that timely access to services and interface with school pupil services professionals will improve student success.

B. Memorandum of Understanding Purpose

The purpose of this Memorandum of Understanding is to describe the responsibilities of each party in the development, implementation, and operation of the SBMH program.

C. Program Purpose

The purpose of the SBMH program is to:

- Improve accessibility; provide opportunity to timely access to services and treatment.
- Reduce and prevent suicide and/or violence against others among school-age children by early identification and intervention.
- Engage students and family members in mental health services offered by licensed clinical staff.
- Promote coordinated treatment and services by interfacing with school pupil service professionals to improve student success when there is a written consent to permit exchange of client information.
- Maintain workforce productivity and improve school performance by reducing travel time, parents miss less work to take their child to an appointment, and by minimizing absences.

D. Parties

This Memorandum of Understanding includes:

- *XXXX School District* referred to hereafter as the School District. The School District provides pre-kindergarten through grade 12 educational programming that offers opportunities for students to maximize individual potential. The core values of the School District are:
 - o Students come first in the XXXX School District

- o Our schools provide a positive environment where mutual respect and individual responsibility are learned and practiced.
 - o Our schools provide a safe and secure environment.
 - o Every member of our community has value in the education of our students.
 - o All students, regardless of their diverse learning abilities, can learn and achieve to their maximum potential.
 - o Our schools provide a high-quality and comprehensive education for all students.
- _____, referred to hereafter as the mental health provider. The mental health provider is certified by the State of Wisconsin as a qualified mental health and AODA agency and capable of billing third party payers for services.

E. Responsibilities

The mental health provider will:

- Implement SBMH for Students in designated schools based on the program description agreed upon by the School District within a specified timeframe.
- Seek and receive approval from the State of Wisconsin as a school branch office in order to provide outpatient mental health services in specified schools as needed. A school branch office is defined as an office used for more than one consumer for more than four consecutive weeks.
- Comply with all requirements of a school branch office that includes:
 1. Ensure that licensed clinical staff providing services in schools have the necessary training and education for provision of services to the age of students served. The practice of psychotherapy or substance abuse treatment shall be within the scope of practice of the clinician. Copies of current Wisconsin clinical licenses shall be available upon request.
 2. Maintain a distinction between school personnel and the therapists employed by the mental health provider. Clinical licensure through the Department of Safety and Professional Services (DSPS) and pupil services licensure through the Department of Public Instruction (DPI) convey different

knowledge, skill sets and competencies. Mental health and substance abuse treatment services provided in school branch offices will be consistent with applicable state licensure statutes and administrative rules. Educational services to public school students delineated under federal and state statute and administrative rules shall be provided by DPI-licensed educators.

3. Develop policies and procedures in collaboration with school officials specific to the delivery of services in a school setting. These policies and procedures should address, but are not limited to:
 - a. Entrance and egress policies;
 - b. Operating hours
 - c. Adherence to school rules, including participation in emergency drills and procedures;
 - d. Supervision of students;
 - e. Appropriate clinician responses in case of violent outbursts by students, including communication with school staff and law enforcement; and
 - f. Management of disagreements between branch clinic and school staff.
4. Ensure that Communication of any confidential information between the school branch office and the school is done only with consent or as otherwise authorized in statute. Clinical records created in the school branch office are the property of the certified clinic. Pupil records of students receiving services in the school branch office are in the custody of the school. Access to records or information is via properly created and executed releases of information or as otherwise authorized in the law, consistent with s. Chapter 51 and 118, stats.; 42CFR2; and 34 CFR99 (Family Education Rights and Privacy Act).
5. Communications to families and students about the school branch office will clearly specify the school branch office is co-located in the school for the benefit and convenience of students and families seeking clinic services and is not an agent of the school.
6. Provide evidence of adequate liability insurance to the school.
7. Ensure that the space within the school for use by the school branch office, including storage of records, will be identified and will ensure the privacy and confidentiality of students and family members receiving services from the school branch office. Access to electronic and hard-copy clinical files will be limited to school branch office staff.
8. Client Rights information at each school branch office shall be available upon request.

9. Accept a referral for assessment for mental health services that originated from the parent/guardian or the school after informed consent is obtained from the parent/guardian. The referral shall identify the rationale for the assessment and contact information for the family. Arrangements for the student to be released from class for the assessment will be made after the parent/guardian has authorized the assessment and release. The therapist will be in charge of intake paperwork.
 10. Coordinate care with school personnel whenever possible. Information from school branch office assessments, treatment plans, school evaluations and educational plans may be shared to inform and support each other with the informed consent of the parent/guardian.
 11. Collaborate with the school to create an annual report including client outcomes and parental feedback that will be submitted to DHS for review. This report will not include identifying information about specific students or families unless informed consent is obtained or as otherwise authorized by statute. These reports shall, in part, be a determining factor in renewal of school branch offices.
 12. Make available to the State of Wisconsin, Department of Health Services (DHS) any school branch office staffing records, policies and procedures and clinical records for review or investigations. Reviews may include unannounced site visits at school branch offices for the purpose of evaluating compliance or investigating complaints. Site visits will comply with local school building rules regarding visitors, student access, emergency drills and procedures, and entrance and egress policies and procedures.
- Provide qualified therapists in the designated schools and maintain agreed upon staffing levels throughout the terms of the agreement.
 - Assign dedicated staff to the program in order to provide consistency in therapy and build relationships with students, parents, teachers and other school personnel.
 - Meet with designated school district staff to discuss:
 - ✓ Roles and responsibilities of the therapists and school personnel,
 - ✓ Referral process,
 - ✓ Space for conducting confidential therapy appointments,
 - ✓ Documentation requirements,
 - ✓ Communication between therapists and school personnel,
 - ✓ Confidentiality issues.
 - Therapist will update school contact person within one week of referral to let school know of yes/no/no contact.

- Therapist will give contact person for each school the SBMH Therapy Session Feedback sheet weekly or monthly for each student therapist is working with, and pick up weekly SBMH Teacher Feedback Sheet for communication.
- Fax the Release of Information Authorization to the contact person at the appropriate school
- Offer mental health therapy to students in the designated schools and provide the following core services:
 - ✓ Assessment,
 - ✓ Treatment,
 - ✓ Communication with school personnel regarding those students being served by the program in instances where a proper release of information is in place.
 - ✓ Staff development presentations as requested by the School District.
- Make necessary referrals to psychiatrists, primary care physicians or other provider organizations as needed.
- Provide interpreter services as needed.

The School District will:

- Cooperate with the mental health provider in complying with school branch office requirements:
 1. Maintain a distinction between school personnel and the therapists employed by the mental health provider. Clinical licensure through the Department of Safety and Professional Services (DSPS) and pupil services licensure through the Department of Public Instruction (DPI) convey different knowledge, skill sets and competencies. Mental health and substance abuse treatment services provided in school branch offices will be consistent with applicable state licensure statutes and administrative rules. Educational services to public school students delineated under federal and state statute and administrative rules shall be provided by DPI-licensed educators.
 2. Assist the mental health provider in the development of policies and procedures specific to the delivery of services in a school setting. These policies and procedures should address, but are not limited to:
 - a. Entrance and egress policies;
 - b. Operating hours
 - c. Adherence to school rules, including participation in emergency drills and procedures;

- d. Supervision of students;
 - e. Appropriate clinician responses in case of violent outbursts by students, including communication with school staff and law enforcement; and
 - f. Management of disagreements between branch clinic and school staff.
3. Ensure that Communication of any confidential information between the school branch office and the school is done only with consent or as otherwise authorized in statute. Clinical records created in the school branch office are the property of the certified clinic. Pupil records of students receiving services in the school branch office are in the custody of the school. Access to records or information is via properly created and executed releases of information or as otherwise authorized in the law, consistent with s. Chapter 51 and 118, stats.; 42CFR2; and 34 CFR99 (Family Education Rights and Privacy Act).
 4. Communications to families and students about the school branch office will clearly specify the school branch office is co-located in the school for the benefit and convenience of students and families seeking clinic services and is not an agent of the school.
 5. Ensure that the space within the school for use by the school branch office, including storage of records, will be identified and will ensure the privacy and confidentiality of students and family members receiving services from the school branch office. Access to electronic and hard-copy clinical files will be limited to school branch office staff.
 6. Submit a referral for assessment for mental health services that originated from the parent/guardian or the school after informed consent is obtained from the parent/guardian. The referral shall identify the rationale for the assessment and contact information for the family. Arrangements for the student to be released from class for the assessment will be made after the parent/guardian has authorized the assessment and release.
 7. Coordinate care with the mental health provider whenever possible. Information from school branch office assessments, treatment plans, school evaluations and educational plans may be shared to inform and support each other with the informed consent of the parent/guardian.
 8. Collaborate with the mental health provider to create an annual report including client outcomes and parental feedback that will be submitted to DHS for review. This report will not include identifying information about specific students or families unless informed consent is obtained or as otherwise authorized by statute. These reports shall, in part, be a determining factor in renewal of school branch offices.

9. Allow the State of Wisconsin, Department of Health Services to make unannounced site visits at school branch offices for the purpose of evaluating compliance or investigating complaints. Site visits will comply with local school building rules regarding visitors, student access, emergency drills and procedures, and entrance and egress policies and procedures.
- Identify students at the designated schools in need of mental health services from the target population (i.e., those students experiencing barriers to care elsewhere in the community).
 - Obtain parent consent for an initial assessment and make appropriate referrals to the program by completing a referral form.
 - Provide physical space within the designated schools that is conducive to the confidential nature of mental health services.
 - Excuse students from class in order to attend therapy appointments.
 - Create a system that allows school personnel to communicate with the mental health therapists in instances where a proper release of information is in place. Teacher/staff member will fill out the SBMH Teacher Feedback Sheet weekly or monthly to give to the therapist. The contact person will pick up the SBMH Therapy Session Feedback form.
 - Promote education on mental health issues for students and staff.
 - Review progress reports and assist in the evaluation of the SBMH program.

F. Terms of Agreement

This agreement will be in effect from 08-01-2017 to 08-31-2018.

G. Ethical and Religious Directives

The parties acknowledge that mental health provider is operated in accordance with the *Ethical and Religious Directives for Catholic Healthcare Services* as promulgated, from time to time, by the United States Conference of Catholic Bishops, Washington, D.C., of the Roman Catholic Church ("Ethical and Religious Directives"), and that the principles and beliefs of the Roman Catholic Church are a matter of conscience to mental health provider. It is the intent and agreement of the parties that neither this agreement nor any part hereof shall be construed to require mental health provider to violate said Ethical and Religious Directives in its operation and all parts of this agreement must be interpreted in a manner that is consistent with said Ethical and Religious Directives.

H. Memorandum of Understanding Modifications and Termination

This agreement may be modified at any time with the consent of the parties involved. Any one of the parties may terminate this agreement with 30 days written notification to the other parties.

Termination may occur if any one of the parties fails to comply with the terms of this agreement with two weeks written notice.

I. **Signatures**

School District Name Representative

Date

Mental Health Provider Name Representative

Date