



# Educationally Related Intensive Counseling Services (ERICs) Policy & Procedures

**Participating Humboldt – Del Norte Local Education Agencies (LEAs)** Arcata School District, Big Lagoon Union School District, Blue Lake Union School District, Bridgeville School District, Cuddeback Union School District, Cutten School District, Del Norte Unified School Districts, Eureka City Schools, Ferndale Unified School District, Fieldbrook School District, Fortuna Elementary School District, Fortuna Union High School District, Freshwater School District, Garfield School District, Green Point School District, Hydesville School District, Jacoby Creek School District, Klamath-Trinity Joint Unified School District, Kneeland School District, Loleta Union School District, Maple Creek School District, Mattole Unified School District, McKinleyville Union School District, Northern Humboldt Union High School District, Northern United – Humboldt Charter, Orick School District, Pacific Union School District, Pacific View Charter 2.0 Peninsula Union School District, Rio Dell School District, Scotia Union School District, South Bay Union School District, Southern Humboldt Unified School District, Trinidad Union School District

## **HISTORY**

In 1984, Assembly Bill 3632 statutorily required a partnership between school districts and county mental health agencies to deliver mental health services to students with individualized education programs (IEPs). In 2011, the California Legislature passed Assembly Bill 114, which repealed the state mandate on special education and county mental health agencies and eliminated related references to mental health services in California statute. As a result of this new legislation, school districts are solely responsible for ensuring that students with disabilities receive special education and related services to meet their needs according to the Individuals with Disabilities Education Act (IDEA) of 2004.

Intensive counseling as a related service is identified as necessary for a student to benefit from their special education program. Within the educational environment, these can include assessment of needs for intensive counseling services, crisis intervention within the educational setting, outpatient counseling, therapeutic learning class placements, case management, parent consultation, and/or residential placement recommendations. Please note that *medication management* is not included among these services since federal guidelines consider it a medically necessary and not an educationally necessary service. The term, “intensive counseling as a related service”, is currently utilized in place of “AB3632” or “26.5” services”. Intensive counseling is a related service and Educationally Related Intensive Counseling Services (ERICS) can be used interchangeably.

## **EDUCATIONALLY RELATED INTENSIVE COUNSELING SERVICES (ERICS)**

Educationally Related Intensive Counseling Services (ERICS) are counseling services that are provided to students receiving special education services. These services are provided when students have significant socio-emotional needs that impede their ability to benefit from their special education services. There must be a direct relationship between the socio-emotional characteristics and the lack of benefit from special education services. This may be shown as lack of progress on goals/objectives, declining grades, absences, suspensions, etc.

Referral is appropriate when these concerns are determined to be associated with a condition that cannot be described solely as a temporary adjustment problem. Students eligible for educationally related intensive counseling, as a related service under IDEA, are not just those identified as Emotionally Disturbed but can be those of any disability category. The services will be regularly monitored for efficacy and due diligence. Adjustments in the level of service provided will be made as appropriate through an IEP meeting. .

## **ERICS AS A “RELATED SERVICE”**

The focus for IEP teams is the determination of need for Educationally Related Intensive Counseling Services (ERICS) as a related service based upon IDEA regulation and Education Code § 56363. ERICS is considered a related service and can be provided by staff from the LEA or through a referral process to SELPA for a SELPA clinician to provide the service. School

personnel look at concrete data (grades, progress on goals, behavior at school, office referrals, discipline patterns) to see if there are functional impairments getting in the way of the student's ability to access and benefit from special education (how the behaviors are impeding the educational process, including, but not limited to, academic success). As such, the question becomes more than would the student benefit from services; rather, does the student require ERICS to benefit from his/her special education.

## **ERICS as a Related Service Process**

### **PRE-REFERRAL**

The referral process begins once a student has been identified with emotional/behavioral concerns issues which impede their ability to benefit from special education. These interventions may include school based counseling, behavioral intervention support, socio-emotional learning opportunities, referrals for services in the community, etc. If these supports have been put in place and have been determined to not meet the students needs due to the significance of the need the IEP team may want to discuss making a referral for ERICS services through the SELPA. The IEP team should consider:

- If the concerns are associated with a condition that cannot be described solely as a temporary adjustment problem.
- The significance of the concern as indicated by rate of occurrence and intensity
- If the school has provided pre-referral interventions as appropriate, psychological, and or guidance services and the IEP team has determined that the services do not meet the pupil's educational needs or are inappropriate or insufficient.
- If the school has identified the specific lack of educational progress and how this is directly related to the student's mental health needs.
- If behavior is a presenting concern conducting a Functional Behavior Analysis and developing a Behavior Intervention Plan including data collection and adjustment to the behavior plan, if needed
- If an updated socio-emotional assessment needs to be completed to determine current needs and guide intervention

The referral process begins when a student is identified with emotional/behavioral issues which impede their ability to benefit from special education (Considerations: Attendance, declining grades/work completion, suspension data, significant behaviors, etc.)

### **SOCIO EMOTIONAL ASSESSMENT:**

The socio-emotional assessment should take place to gather data regarding student's current needs and guide pre-referral intervention. This assessment should include a thorough background history including information gathered from current outside providers (therapists, psychiatrists, etc.). The assessment must include observations in a variety of different settings to determine how the student's socio-emotional functioning is currently impacting their education. This assessment is required to move forward with a referral to secure a SELPA ERICS clinician and needs to be within 6 months of that referral date. Once the assessment is complete, an IEP

meeting should be held to discuss the results and determine appropriate next steps including services based on that data.

### **REFERRAL FOR ERICS SERVICES PROVIDED BY SELPA:**

The following items must be submitted to SELPA to be reviewed prior to being assigned a clinician for ERIC services:

- ERICS referral form (located in document library in SEIS);
- Release of Information (located in document library in SEIS);
- Copy of FBA/BIP and behavioral data within 6 months;
- Socio-emotional evaluation within 6 months
- Include outside agency assessments and reports if available;

### **ADDENDUM MEETING TO ADD SERVICE:**

Once the information is reviewed a representative from SELPA will contact the district to discuss the student and appropriate next steps, including discussing ERIC services at an IEP meeting. It is important to remember that the IEP team makes the determination of the need and the amount of service required.

### **SOCIO-EMOTIONAL GOAL(s):**

- A socio-emotional goal is added to the IEP that is data driven and measurable. This goal should be written with information obtained from the socio-emotional assessment in collaboration with input from the IEP team. This goal should address the skills needed in order for the student to access their special education services which prompted the addition of the service.

### **MONITORING SERVICES:**

- Every progress reporting period, the clinician in collaboration with input from other service providers and the classroom teacher will provide information on progress towards meeting their socio-emotional goal
- ERIC services and goals are continuously monitored and evaluated for appropriateness. If adjustments are needed to the service amount or frequency or if the goal needs to be adjusted, an IEP meeting will be held to discuss as a team.

### **ENDING SERVICES**

- An IEP should be held to discuss the discontinuation or reduction of ERIC services when the socio-emotional goals are met signaling that intensive counselling service is no longer needed for the student to benefit from SPED
- A formal or informal assessment needs to take place to guide the team to determining if the service is no longer needed. This may include standardized assessment tolls as part of a formal socio-emotional assessment as well as data collection, observations and parent, student and teacher interview and input regarding the socio-emotional goal.