

STATE OF NEW MEXICO
LEGISLATIVE EDUCATION STUDY COMMITTEE

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September 14, 2009

MEMORANDUM

TO: Legislative Education Study Committee

FR: Pamela Herman

**RE: STAFF REPORT: RESIDENTIAL TREATMENT CENTERS:
IMPLEMENTATION OF LEGISLATION**

Introduction

In 2009, after studying the issue over four interims, the Legislative Education Study Committee (LESC) endorsed legislation that was enacted, Laws 2009, Chapter 162 (HB 199, *School District and Training Center Agreements*), to clarify the parties responsible to provide a free, appropriate public education (FAPE) to students in private residential treatment centers (RTCs) (see Attachment 1).

This report includes five sections:

- summary of provisions of the legislation;
- status of implementation of amendments to the *Public School Code* by the Public Education Department (PED);
- status of implementation of amendment to the *Children's Code* by the Children, Youth and Families Department (CYFD);
- status of Rancho Valmora residential treatment center; and
- background.

Summary of Provisions of the Legislation

In 2009, the LESC endorsed legislation that was enacted (Laws 2009, Chapter 162) amending the *Public School Code* to clarify the responsibility of the state, local school districts and parents to plan, provide, and pay the costs of a FAPE to school-age person residing in private training centers and RTCs, and amending the *Children's Code* to require CYFD to ensure that RTCs make physical space available in which a FAPE can be provided.

- The law repealed the section of the *Public School Code* addressing education in training and treatment centers, and enacted a new section that addresses a range of possible circumstances under which a person of school age might be enrolled in such a center (see Attachment 2). As amended, the law now provides:
 - definitions specific to the section that distinguish between:
 - “qualified students” who are public school students; who have not graduated from high school; and who qualify based on age to attend public; and
 - “school-age persons” who meet federal requirements for special education but who are not qualified students, generally because they are not regularly enrolled in at least one-half the minimum course requirements approved by PED for public school students;
 - state responsibility to provide a FAPE: the responsibility of school districts, the state, and its institutions to provide a FAPE is not diminished because private schools and services are available; the state must ensure that all qualified students who need special education receive that to which federal and state law entitle them, whether the provider is public or private;
 - resident district of students enrolled in a private RTC: the school district in which a private, nonsectarian, nonprofit training center or RTC is located shall not be considered the resident school district of a school-age person if residency is based solely on enrollment at the facility, and the person would not otherwise be considered a state resident;
 - responsibility for costs of an RTC placement by a school district or by a due process decision: if a qualified student in need of special education or a school-age person is placed in an RTC by a school district or a due process decision, the district in which the student lives, whether in- or out-of-state, is responsible for the educational, non-medical care and the room and board costs of the placement;
 - distribution of proportionate share of federal *Individuals with Disabilities Education Improvement Act* (IDEA) Part B funds for a school-age person placed in an RTC by a parent: if a school-age person is placed in an RTC not as a result of a due process decision but by a parent who assumes responsibility for the placement, PED shall ensure that the district where the facility is located allocates and distributes the student’s proportionate share of IDEA Part B funds as required by federal law; however, the state is not required to distribute state funds for that person;

- responsibility for planning and delivery of special education services for an RTC placement by a New Mexico state agency or court: if a qualified student or school-age person in need of special education is placed in an RTC by a state agency with custody or control of the person or by a New Mexico court, the district in which the facility is located shall be responsible for planning and delivery of special education and related services, unless the student or person's resident district has an agreement with the facility to provide such services;
- responsibility for costs of RTC placement of a qualified student not made by a school district or due process decision: if a qualified student in need of special education is placed in an RTC other than by a school district or due process decision, PED shall determine which district is responsible for the cost of educating the student, and the reasonable reimbursement owed to the receiving district;
- agreements between a local school board and an RTC to educate qualified students: in consultation with PED, a local school board may make an agreement with an RTC to educate qualified students in need of special education for whom the district is responsible to provide and pay for a FAPE under the federal law; all financial arrangements between local school boards and RTCs must be negotiated in accordance with PED rules;
- requirements for agreements: all such agreements must be reviewed and approved by the Secretary of Public Education, and must ensure that all qualified students placed in RTCs receive the education to which they are entitled pursuant to state and federal law, including:
 - student evaluation and eligibility;
 - an educational program that meets state standards, except that teachers employed by private schools need not be highly qualified;
 - special education and related services in conformance with an individualized education program (IEP) that meets the requirements of state and federal law; and
 - adequate classroom and other physical space provided at the RTC that allows the district to provide an appropriate education;
- on-site evaluations of RTCs agreements must acknowledge the authority and responsibility of both the local school board and PED to conduct on-site evaluations of programs and student progress to ensure the education provided to the qualified student meets state standards;
- counting qualified students attending RTCs in school district membership: a qualified student attending an RTC for whom the state is responsible to provide a FAPE is a public school student who must be counted in the special education membership of the school district responsible for the costs of educating that student as provided in the student's IEP; and
- reporting student data and costs for qualified students attending RTCs: PED must adopt a format to report individual student data and costs for any qualified student or school-age person attending a public or private RTC, and must include those

reports in the student teacher accountability reporting system (STARS) by using a PED-assigned unique student identifier; and every public and private training center and RTC that serves school-age persons in the state must comply with this provision.

- The law also amended the *Children's Code* to require the Secretary of CYFD to include in the minimum standards for residential treatment programs a requirement that the program make reasonable provisions for adequate physical space for a school district to provide the required FAPE.

Status of Implementation of Amendments to the *Public School Code* by the Public Education Department (PED)

As amended, statute now specifically requires PED to take certain actions. These include:

- ensuring that the school district in which an RTC is located is allocating and distributing to the RTC the school-age person's proportionate share of the federal IDEA Part B funds;
- determining which school district is responsible for the cost of educating a qualified student in need of special education who was placed in an RTC other than by a school district or a due process decision;
- determining the reasonable reimbursement owed to a receiving school district;
- promulgating rules to govern the negotiation of agreements between local school boards and RTCs for educating qualified students in need of special education for whom the school district is responsible to provide a FAPE;
- reviewing and approving all such agreements to ensure they contain the provisions required by law;
- ensuring that agreements acknowledge the department's responsibility to conduct on-site evaluations of RTC programs and student progress to ensure that the education provided meets state standards; and
- adopting a format to report individual student data and costs for qualified students or school-age persons attending a public or private RTC, and including those reports in the STARS system.

According to PED, the department has not yet sent out guidance to local school districts regarding the requirements of the amended statute, because it is in the process of amending its rule governing special education (6.31.2 NMAC) to incorporate the rule-making required by law.

- PED states that it anticipates publishing the proposed rule for public comment by the end of September 2009, with a public hearing to follow 30 days later as required by the *Administrative Procedures Act*.

- In addition, PED states that it currently does not have a catalog of the specific services being provided by private RTCs, since until the passage of the 2009 law, data regarding RTCs was not collected in STARS. PED indicates that once the special education rule has been amended, a process will be established to approve agreements between RTCs and local school districts. According to PED, the rule will include a process to determine responsibility for costs.
- PED provided a memo to LESC staff dated September 8, 2009, regarding the proposed rule amendment (see Attachment 3). The memo indicates the rule will contain the following:
 - definitions of “qualified student” and “school-age person” consistent with the amended statute;
 - provisions for accountability for the cost for placement of students in private RTCs and for agreements between school districts and private RTCs, governing the form and content of such agreements, and allowing educational agencies to seek payment or reimbursement from non-educational agencies as provided in the amended statute;
 - a provision that a school district in which a private school or facility is located shall not be considered the resident school district of a school-age person if residency is based solely on the school-age person’s enrollment in the facility, and the person would not otherwise be considered a resident of the state; and a provision for allocation of proportionate share [of federal IDEA Part B funds] for placements in private RTCs by parents;
 - provisions to allocate responsibility for placements into private RTCs by public non-educational agencies of New Mexico and other governments; and
 - provisions regarding the process for PED to assign responsibility for the costs of placements in private RTCs not otherwise governed by the rule.
- PED states that a format has been established to report individual student data and costs for students attending public or private RTCs in STARS, and the STARS manual has been amended according. According to PED, school districts received training on the new format in May 2009.

Status of Implementation of Amendment to the *Children’s Code* by the Children, Youth and Families Department (CYFD)

The Licensing and Certification Authority of CYFD is the state agency responsible for licensing and certifying RTCs that operate in the state. CYFD approval includes two procedures, each with a different purpose:

- licensure, which indicates that the facility meets the minimum standards set forth in agency rule to provide residential mental health services for children and adolescents. The rule requires that:

- licenses be issued and renewed annually, except where CYFD, in its sole discretion, issues a 180-day temporary license;
 - the agency survey the facility at least annually; and
 - each licensed facility ensure that every child in residence attend an appropriate education program in accordance with New Mexico law; and
- certification, which confirms that the services provided by the facility meet the requirements set forth in agency rule for behavioral health services for children and adolescents of the state paid for through the federal Medicaid program (Title XIX of the *Social Security Act*). The rule provides that:
 - in order to be certified by CYFD, a residential facility must also be licensed; and
 - educational services are among the residential treatment services to be provided in a certified program.
 - According to CYFD, as of August 2009 there were 24 facilities licensed to provide residential treatment services to children and adolescents in New Mexico, indicating they met minimum state standards established in agency rule (see Attachment 4). All but one of these facilities is also certified for Medicaid purposes. According to CYFD:
 - seventeen of the facilities are operated by private nonprofit organizations;
 - four are operated by the state; and
 - three are operated by a private for-profit organization.

A section of the 2009 legislation regarding students in RTCs amends the *Children's Code* to mandate that CYFD include in the agency's minimum licensure standards for residential treatment programs a requirement that the program make reasonable provisions for adequate physical space for a school district to provide the required FAPE.

- According to staff of CYFD, the agency has not yet begun to amend its rule as required by the statute.
- However, the agency plans to contact providers of residential treatments services and other interested parties, including school districts, to hold focus groups before drafting a proposed rule change.
- CYFD anticipates that the rule-making process will take four to six months.

Status of Rancho Valmora Residential Treatment Center

In 2007, according to a roster of licensed and certified residential treatment facilities supplied to the LESC by CYFD, 30 facilities were then in operation. The list provided to LESC by CYFD in 2009 shows only 24. CYFD staff states that this attrition may be due in part to outcomes research that shows that residential treatment should no longer necessarily be considered a "best practice" in all cases, particularly where community-based care can effectively be provided.

One of the six facilities closed since 2007 was Rancho Valmora, an RTC located within the boundaries of Wagon Mound Public Schools. According to CYFD, Rancho Valmora was a

licensed RTC but was not certified to serve Medicaid clients. In August 2009, Social Learning Environments, Inc. (SLE), a private nonprofit organization based in Granbury, Texas, issued a statement that it would close its program at Rancho Valmora, stating that:

- its programs had been operating under capacity for the past year;
- the decision to consolidate was “rather certain” as it faced the prospect of minimizing staff (and resulting services) at each of its three programs, or choosing to expand services with two of the three operating;
- therapeutic services at Rancho Valmora would be consolidated with the organization’s two other residential facilities, in Fort Davis, Texas, and Cramer Creek, Montana; and
- the decision to consolidate Rancho Valmora was based on current and projected student numbers, the relative ease of transferring students and chosen staff, and the ability to maintain treatment continuity with existing students.

In a press account of the closure, a representative of SLE is reported to have said that more than 90 percent of Rancho Valmora’s clients came from out of state, and that the passage of the 2009 legislation regarding RTCs would result in a decrease of between \$800,000 and \$1.0 million to the facility.

Regarding the termination of its relationship with Rancho Valmora, Wagon Mound Public Schools indicated the following:

- that students at Rancho Valmora had in fact generated approximately \$1.0 million in funds through the state equalization guarantee (SEG) to the school district, most of which flowed to the RTC pursuant to a Memorandum of Understanding;
- because school funding is based on prior year enrollments, the district continues to receive those funds in school year 2009-2010, eliminating the need for one year to request emergency supplemental funds for operations, whereas in the preceding school year, the district received almost \$500,000 in emergency supplemental funds;
- enrollments at Rancho Valmora had declined from a high of over 80 students to fewer than 30 by the end of school year 2008-2009; and
- one consequence to the school district of having included Rancho Valmora students in its student membership was its inability to meet targets in the State Performance Plan for Special Education, required by the Office of Special Education of the United States Department of Education under IDEA, because of over-identifying Caucasian special education students.

Background

At least since 2005, the LESC has studied a range of issues related to the obligation of the state, its agencies, local school districts, and parents under state and federal law to provide a FAPE to children with disabilities residing in private RTCs in New Mexico. In October 2007, the LESC heard testimony that PED was unable to provide clear guidance or direction on these questions because of inconsistencies in law and regulations.

- Because it receives funding pursuant to the federal IDEA, New Mexico, through the agency of PED, must provide a FAPE to all children with disabilities between the ages of three and 21 residing in the state, including school-age persons with disabilities who have been placed in an RTC to receive services.
- As defined in the rules promulgated by CYFD, the state agency that licenses and certifies RTCs in New Mexico, “residential treatment services” are “a program that provides 24-hour therapeutic care to children/adolescents with severe behavioral, psychological, neurobiological or emotional problems, who are in need of psychosocial rehabilitation in a residential facility.”
- In presentations to the LESC in 2005 and 2006, testimony indicated that, according to the National Conference of State Legislatures (NCSL), a number of states including New Mexico have had difficulty determining the legal and financial obligation of the state and of local school districts that have an RTC within their boundaries to provide a FAPE to non-district school-age persons enrolled in an RTC.
- At those presentations, PED noted inconsistencies in state and federal law that contributed to the lack of clarity on this issue in New Mexico:
 - under federal law, the minor student’s home state, determined by the residence of the student’s parents, is legally obligated to ensure that a FAPE is available even if the student is placed in another state;
 - under New Mexico law, however, at least one section of the *Public School Code* [Section 22-12-4A NMSA 1978] provides two ways – residence or presence – for a student to be entitled to attend a public school within a given district; and
 - another section of the *Public School Code* [Section 22-12-5C NMSA 1978] allows, but does not require, a local school board to charge tuition for out-of-state students. PED indicated that this permissive language did not permit the department to require parents or the home state to reimburse the school district for services it was providing.
- At the conclusion of PED testimony in 2006, the LESC agreed to request that PED conduct a review of current law and RTC data to address the inconsistencies that PED had reported and to provide recommendations to the LESC prior to the 2007 legislative session. PED provided the requested report on December 13, 2006; however, the committee deferred endorsing legislation regarding RTCs until the 2008 session.
- Throughout the 2007 and 2008 interims, the LESC took testimony from school districts in the state and other stakeholders regarding the need for and impact of a proposed new public school funding formula. In the course of that testimony, the committee was presented with data showing disparities among districts across the state in enrollment of special education students, in some instances because school districts were providing a FAPE to special education students from outside their districts who were enrolled in public and private RTCs within their boundaries.

- School districts providing services to such students testified that, in general, they were not reimbursed by resident school districts for educational services they provided, and that they often did not receive state funding under the public school funding formula because of the mobility of many RTC students.
- In 2008 the LESC endorsed HB 414, *Special Education Services & Training Centers*, to address these issues; however, the bill was ruled not germane. In 2009, the LESC endorsed similar legislation, HB 199 (Laws 2009, Chapter 162), *School District and Training Center Agreements*, which was enacted.¹

¹ Another bill introduced in 2008 and endorsed by the LESC, HB 241, *Public School Funding Formula Changes*, included the same language as HB 414. That bill did not pass. In 2009, HB 199 and HB 331, *Public School Funding Formula*, contained identical language regarding responsibility for providing educational services to children in RTCs. However, the bills were de-coupled by a House Education Committee substitute to HB 199 and an amendment to HB 331.

AN ACT

RELATING TO SPECIAL EDUCATION; CLARIFYING THE STATE'S RESPONSIBILITY TO PROVIDE SPECIAL EDUCATION SERVICES; REQUIRING PUBLIC EDUCATION DEPARTMENT PARTICIPATION IN DEVELOPMENT OF AGREEMENTS BETWEEN SCHOOL DISTRICTS AND PRIVATE EDUCATIONAL TRAINING CENTERS AND RESIDENTIAL TREATMENT CENTERS; REQUIRING STUDENT IDENTIFICATION NUMBERS FOR STUDENTS ATTENDING EDUCATIONAL TRAINING CENTERS AND RESIDENTIAL TREATMENT CENTERS; REQUIRING EDUCATIONAL TRAINING CENTERS AND RESIDENTIAL TREATMENT CENTERS TO PROVIDE REASONABLE PHYSICAL SPACE FOR EDUCATIONAL PROGRAMMING.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 22-13-8 NMSA 1978 (being Laws 1972, Chapter 95, Section 4, as amended) is repealed and a new Section 22-13-8 NMSA 1978 is enacted to read:

"22-13-8. SPECIAL EDUCATION--PRIVATE EDUCATIONAL TRAINING CENTERS AND RESIDENTIAL TREATMENT CENTERS.--

A. Notwithstanding other provisions of the Public School Code, as used in this section:

(1) "qualified student" means a public school student who:

(a) has not graduated from high school;

(b) is regularly enrolled in one-half

or more of the minimum course requirements approved by the

department for public school students; and

(c) in terms of age: 1) is at least five years of age prior to 12:01 a.m. on September 1 of the school year or will be five years of age prior to 12:01 a.m. on September 1 of the school year if the student is enrolled in a public school extended-year kindergarten program that begins prior to the start of the regular school year; 2) is at least three years of age at any time during the school year and is receiving special education pursuant to rules of the department; or 3) has not reached the student's twenty-second birthday on the first day of the school year and is receiving special education in accordance with federal law; and

(2) "school-age person" means a person who is not a qualified student but who meets the federal requirements for special education and who:

(a) will be at least three years old at any time during the school year;

(b) is not more than twenty-one years of age; and

(c) has not received a high school diploma or its equivalent.

B. The responsibility of school districts, state institutions and the state to provide a free appropriate public education for qualified students who need special education is not diminished by the availability of private

schools and services. It is a state responsibility to ensure that all qualified students who need special education receive the education to which federal and state laws entitle them whether provided by public or private schools and services.

C. A school district in which a private, nonsectarian, nonprofit educational training center or residential treatment center is located shall not be considered the resident school district of a school-age person if residency is based solely on the school-age person's enrollment at the facility and the school-age person would not otherwise be considered a resident of the state.

D. For a qualified student in need of special education or school-age person who is placed in a private, nonsectarian, nonprofit educational training center or residential treatment center by a school district or by a due process decision, the school district in which the qualified student or school-age person lives, whether in-state or out-of-state, is responsible for the educational, nonmedical care and room and board costs of that placement.

E. For a school-age person placed in a private, nonsectarian, nonprofit educational training center or residential treatment center not as a result of a due process decision but by a parent who assumes the responsibility for such placement, the department shall ensure that the school district in which the facility is located is allocating and

distributing the school-age person's proportionate share of the federal Individuals with Disabilities Education Act Part B funds but the state is not required to distribute state funds for that school-age person.

F. For a qualified student or school-age person in need of special education placed in a private, nonsectarian, nonprofit educational training center or residential treatment center by a New Mexico public noneducational agency with custody or control of the qualified student or school-age person or by a New Mexico court of competent jurisdiction, the school district in which the facility is located shall be responsible for the planning and delivery of special education and related services, unless the qualified student's or school-age person's resident school district has an agreement with the facility to provide such services.

G. Except as provided in Subsection D of this section, the department shall determine which school district is responsible for the cost of educating a qualified student in need of special education who has been placed in a private, nonsectarian, nonprofit educational training center or residential treatment center outside the qualified student's resident school district. The department shall determine the reasonable reimbursement owed to the receiving school district.

H. A local school board, in consultation with the

department, may make an agreement with a private, nonsectarian, nonprofit educational training center or residential treatment center for educating qualified students in need of special education and for whom the school district is responsible for providing a free appropriate public education under the federal Individuals with Disabilities Education Act and for providing payment for that education. All financial agreements between local school boards and private, nonsectarian, nonprofit educational training centers and residential treatment centers must be negotiated in accordance with rules promulgated by the department.

I. All agreements between local school boards and private, nonsectarian, nonprofit educational training centers and residential treatment centers must be reviewed and approved by the secretary. The agreements shall ensure that all qualified students placed in a private, nonsectarian, nonprofit educational training center or residential treatment center receive the education to which they are entitled pursuant to federal and state laws. All agreements must provide for:

- (1) student evaluations and eligibility;
- (2) an educational program for each qualified student that meets state standards for such programs, except that teachers employed by private schools are not required to be highly qualified;

(3) special education and related services in conformance with an individualized education program that meets the requirements of federal and state law; and

(4) adequate classroom and other physical space provided at the private, nonsectarian, nonprofit educational training center or residential treatment center that allows the school district to provide an appropriate education.

J. The agreements must also acknowledge the authority and responsibility of the local school board and the department to conduct on-site evaluations of programs and student progress to ensure that the education provided to the qualified student is meeting state standards.

K. A qualified student for whom the state is required by federal law to provide a free appropriate public education and who is attending a private, nonsectarian, nonprofit educational training center or a residential treatment center is a public school student and shall be counted in the special education membership of the school district that is responsible for the costs of educating the student as provided in the individualized education program for the student.

L. The department shall adopt the format to report individual student data and costs for any qualified student or school-age person attending public or private educational

training centers or residential treatment centers and shall include those reports in the student teacher accountability reporting system by using the same student identification number issued to a public school student pursuant to Section 22-2C-11 NMSA 1978 or by assigning a unique student identifier for school-age persons, including those who are not residents of this state but who are attending a private, nonsectarian, nonprofit educational training center or residential treatment center in this state. Every public and private educational training center and every public and private residential treatment center that serves school-age persons in this state shall comply with this provision.

M. The department shall promulgate rules to carry out the provisions of this section."

Section 2. Section 32A-12-2 NMSA 1978 (being Laws 1979, Chapter 227, Section 2, as amended) is amended to read:

"32A-12-2. RESIDENTIAL TREATMENT PROGRAMS--RULES.--The secretary of children, youth and families shall adopt rules to provide for:

A. minimum standards that shall be met by a residential treatment program, including a requirement that the program make reasonable provisions for adequate physical space for a school district to provide the required free appropriate public education;

B. procedures and forms for applying for a

departmental grant or contract;

C. procedures and criteria for review and approval or denial of such applications;

D. procedures for approval of facilities and programs in or through which services are to be performed;

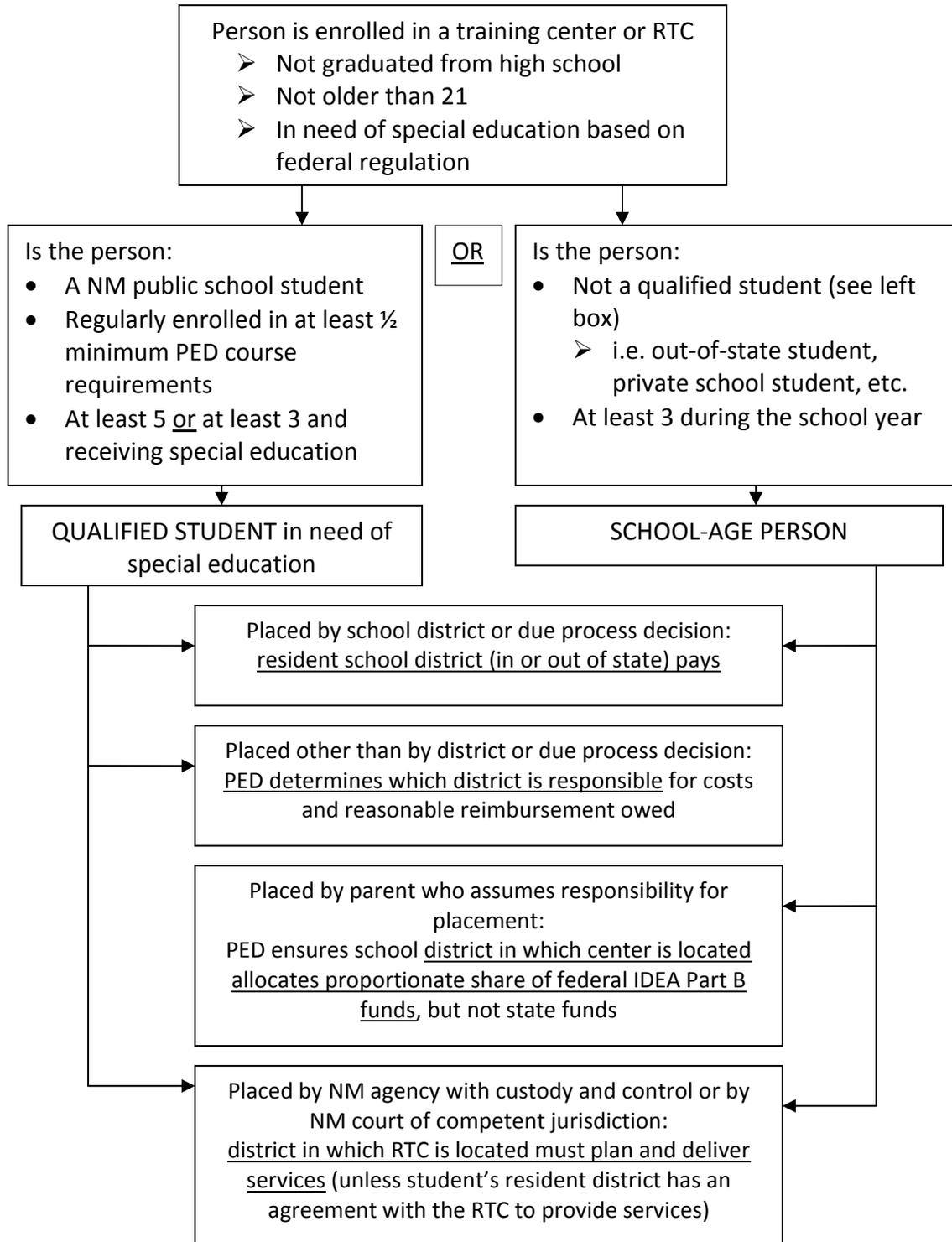
E. procedures and specifications of programmatic and financial information to be reported by residential treatment programs to the children, youth and families department for purposes of evaluating the effectiveness of programs funded by the department; and

F. procedures for review of potential clients for residential treatment or therapeutic group home care."

Section 3. EFFECTIVE DATE.--The effective date of the provisions of this act is July 1, 2009. _____

ATTACHMENT 2

Laws 2009, Chapter 162: Responsibility for planning, delivering, and paying costs of special education services for persons enrolled in private residential treatment centers in New Mexico depend on whether the enrollee is a “qualified student” or a “school-age person”





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DR. VERONICA C. GARCÍA
SECRETARY OF EDUCATION

BILL RICHARDSON
Governor

September 8, 2009

MEMORANDUM

TO: Frances Maestas, Director, LESC

FROM: Albert V. Gonzales
Assistant General Counsel

RE: STATE RULE CHANGES TO IMPLEMENT HB 199

The New Mexico Public Education Department (NMPED) was charged in HB 199 with promulgating rules to carry out the provisions of HB 199. In that regard, NMPED is in the process of amending its special education rules in order to implement the requirements of HB 199. The following is a summary of the changes by rule section:

- 6.31.2.7 NMAC (Definitions) – Definitions of “qualified student” and “school-age person” were added to align with those in Section 22-13-8(A)(1) and (2) NMSA 1978.
- 6.31.2.9 NMAC (Public Agency Responsibilities) – Provisions were added to provide for accountability for the cost for placement of students in private residential treatment centers (RTCs) and for agreements between school districts and private RTCs. The amendments govern the form and content for such agreements. The changes also allow educational agencies to seek payment or reimbursement from noneducational agencies pursuant to the provisions of Section 22-13-8.
- 6.31.2.11 NMAC (Educational Services for Children with Disabilities) – Subsection L (Children in Private Schools or Facilities) of this section is being amended to provide that a school district in which a private school or facility is located shall not be considered the resident school district of a school-age person if residency is based solely on the school-age person's enrollment at the facility and the school-age person would not otherwise be considered a resident of the state and to provide for proportionate share for placements in private RTCs by parents. Provisions have also been added to allocate responsibility for placements into private RTCs by New Mexico public non-educational agencies and by

public noneducational agencies other than New Mexico public agencies. Lastly, provisions have been added regarding the process for NMPED to assign responsibility for the costs of placements in private RTCs not otherwise governed by this rule.

A draft of these rule changes is currently being reviewed by the Assistant Secretary for Instructional Support and the Deputy Secretary for Learning and Accountability. Until that review is completed, the draft is unofficial and may not be released. This summary is being given to you at your request and could be subject to change depending on the results of the review. Once the review is completed, the rule changes will be disseminated for public comment which should occur on September 30, 2009.

cc: Ruth Williams, Manager, Legislative and Community Relations Bureau

LCA Residential Services
August 2009

TYPE	PROGRAM	LICENSE or CERTIFICATION	LOCATION	TYPE	PHONE	SEX	AGES	Total capacity
Group Home								
GHS	Assurance Home, Inc.	Certification and TWO licenses	Roswell	Private non-profit	624-1780	Both	12-18	26
GHS	Carlsbad Comm Res Facility	Certification and ONE licenses	Carlsbad	State	885-8781	Boys	13-19	12
GHS	Casa Mesita, Inc.	Certification and ONE licenses	Los Alamos	Private non-profit	662-4378	Girls	12-18	8
GHS	La Familia, Inc.	Certification and ONE license	Albuquerque	Private non-profit	766-9361	Both	12-18	8
GHS	New Visions Group Home	Certification and TWO licenses	Clovis	Private non-profit	769-2142	Both	12-18	28
GHS/ Shelter	Guidance Center of Lea County	Certification and TWO licenses	Hobbs	Private non-profit	393-3168	Both	12-18	30
Psychiatric Residential	Guidance Center provides services to both Group Home and Shelter Clients. Only the Group Home Program is certified. Licenses apply to both Group Home and Shelter							
PRTF	Camelot of New Mexico	Certification and THREE licenses	Albuquerque	Private non-profit	288-8674	Both	5-17	39
PRTF	Desert Hills	Certification and NINE licenses	Albuquerque	Private non-profit	836-7330	Both	11-18	92
PRTF	Mesilla Valley	Certification and FIVE licenses	Las Cruces	Private for profit	382-3500	Both	13-17	80
PRTF	New Sunrise Regional	Certification and THREE licenses	San Fidel	Private non-profit	552-5500	Boys	6-12	24
PRTF	NM Behavioral Health Services	Certification and TWO licenses	Las Vegas	State	454-2148	Boys	13-17	20
PRTF	Presbyterian Med Svcs dba San Juan Juvenile Services	Certification and ONE licenses	Farmington	Private non-profit	324-5855	Both	12-18	16
PRTF	Sequoyah Adolescent Treatment Center	Certification and FOUR licenses	Albuquerque	State	222-0300	Boys	13-17	36
PRTF	The Peak Behavioral Health	Certification and THREE licenses	Santa Teresa	Private forprofit	589-3000	Both	13-18	42
PRTF	UNM-Children's Psychiatric Hosp (CPH)	Certification and TWO licenses	Albuquerque	State	272-2983	Both	6-17	24

LCA Residential Services
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Residential Treatment								
RTS	Children's Trt Center	Certification and THREE licenses	Albuquerque	Private non-profit	296-3965	Both	7-17	20
RTS	Grace House	Certification and ONE licenses	Carlsbad	Private for profit	885-3681	Boys	12-18	16
RTS	Halvorson House	Certification and ONE licenses	Farmington	Private non-profit	326-2825	Both	12-18	12
RTS	Hogares, Inc	Certification and FIVE licenses	Albuquerque	Private non-profit	345-8471	Both	12-18	45
RTS	Pathway House dba El Rocky Mountain Management Services	Certification and ONE licenses	Clovis	Private non-profit	762-6091	Boys	12-18	16
RTS	Zimmerman Consulting Inc. DBA:Sandhill Child	Certification and TWO licenses	Los Lunas	Private non-profit	866-9271	Both	6-13	32
RTS	Villa Santa Maria Lic# 1114 (License Only)	License ONLY (3 license)	Cedar Crest	Private non-profit	281-3609	Both	5-13	32
Villa Santa Maria is a LICENSE ONLY facility.								
RTS/ SHELTER	Families & Youth, Inc.	Certification and TWO licenses	Las Cruces	Private non-profit	522-4004	Both	12-18	24
RTS/ SHELTER	Team Builders dba: Bonem House	Certification and ONE licenses	Portales	Private non-profit	461-4411	Boys	12-18	8
	Families and Youth and Team Builders provides services to both Residential Treatment and Shelter Clients. Only the Residential Treatment Program is certified. Licenses apply to both Residential Treatment and Shelter							