



# **RESOLUTION No. 24-055**

## **OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA**

**RESOLUTION APPROVING AMENDMENT 1 TO THE CONTRACT WITH NEVADA COUNTY SUPERINTENDENT OF SCHOOLS FUNDED BY THE MENTAL HEALTH STUDENT SERVICES ACT TO INCREASE THE MAXIMUM CONTRACT PRICE FROM \$1,018,827 TO \$1,190,715 (AN INCREASE OF \$171,888) ROLLING OVER UNSPENT FUNDS TO GRANT YEAR 3 (2023/24), AMEND EXHIBIT A TO REFLECT A PROVISION OF ONE ON ONE SUPPORT TO STUDENTS AND THEIR FAMILIES OUTSIDE OF SCHOOL HOURS, AMEND EXHIBIT "B" SCHEDULE OF CHARGES AND PAYMENTS TO REFLECT THE INCREASE IN THE MAXIMUM CONTRACT PRICE FOR THE CONTRACT TERM OF JULY 1, 2023, THROUGH JUNE 30, 2024, AND AUTHORIZING AND DIRECTING THE AUDITOR-CONTROLLER TO AMEND THE BEHAVIORAL HEALTH DEPARTMENT'S BUDGET FOR FISCAL YEAR 2023/24 (4/5 AFFIRMATIVE VOTE REQUIRED)**

WHEREAS, on June 27, 2023, per Resolution 23-294, the Nevada County Board of Supervisors authorized the execution of the Professional Services Contract between the County of Nevada and the Nevada County Superintendent of Schools (NCSOS) for the services related to the provision of behavioral and mental health services in elementary and middle schools; and

WHEREAS, the overall objective of the contract is to improve the behavioral health of Nevada County Youth through the expansion of behavioral health services in Western Nevada County schools as funded by the Mental Health Student Services Act (MHSSA) grant. NCSOS provides in-classroom behavioral support through twelve Registered Behavioral Technicians (RBT), three Board Certified Behavioral Analysts (BCBA), and a Lead BCBA; and

WHEREAS, the Mental Health Services Oversight & Accountability Commission approved the rollover of unused funds for the MHSSA grant from Grant Year 2 (2022/2023) to Grant Year 3 (2023/2024) in the total amount of \$171,888; and

WHEREAS, Nevada County Behavioral Health intends to allocate the rollover funds to NCSOS to cover increased salary costs for the BCBA and RBT positions; and

WHEREAS, the roles and responsibilities of the Registered Behavioral Technician will include the ability to provide one on one support time for students and their family members outside of school hours as needed, depending on availability and interest; and

WHEREAS, the parties desire to amend their Agreement to increase the maximum contract price from \$1,018,827 to \$1,190,715 (an increase of \$171,888), amend Exhibit A to include additional RBT allowable funded activities, and amend Exhibit "B" Schedule of Charges and Payments to reflect the increase in the maximum contract price for the contract term of July 1, 2023, through June 30, 2024.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Board of Supervisors of the County of Nevada, State of California, that Amendment 1 to the Professional Services Contract by and between Nevada County and NCSOS, pertaining to the provision of services related to mental health services in elementary and middle schools as funded by MHSSA in the maximum amount of \$1,190,715 for the contract term of July 1, 2023, through June 30, 2024, be and hereby is approved, and that the Chair of the Board of Supervisors is authorized to execute the Amendment on behalf of the County of Nevada and directing the Auditor-Controller to amend the Behavioral Health Department's Budget for fiscal year 2023/24.

Increase 1589-40104-493-1000 / 521520

\$171,888

PASSED AND ADOPTED by the Board of Supervisors of the County of Nevada at a special meeting of said Board, held on the 20th day of February 2024, by the following vote of said Board:

Ayes: Supervisors Heidi Hall, Edward C. Scofield, Lisa Swarthout,  
Susan Hoek and Hardy Bullock.

Noes: None.

Absent: None.

Abstain: None.

ATTEST:

TINE MATHIASSEN

Chief Deputy Clerk of the Board of Supervisors

By: 



Hardy Bullock, Chair

**AMENDMENT #1 TO THE CONTRACT WITH  
VENDOR NAME (Res 23-294)**

**THIS AMENDMENT** is executed this 20<sup>th</sup> day of February, 2024 by and between NEVADA COUNTY SUPERINTENDENT OF SCHOOLS, hereinafter referred to as "Contractor" and COUNTY OF NEVADA, hereinafter referred to as "County". Said Amendment will amend the prior Agreement between the parties entitled Professional Services Contract, executed on June 27, 2023 per Resolution RES 23-294; and

**WHEREAS**, the Contractor provides of behavioral and mental health services in Nevada County elementary schools as funded by the Mental Health Student Services Act (MHSSA) grant.; and

**WHEREAS**, the parties desire to amend their Agreement to increase the maximum contract price from \$1,018,827 to \$1,190,715 (an increase of \$171,888), amend Exhibit A to include additional RBT allowable funded activities and amend Exhibit "B" Schedule of Charges and Payments to reflect the increase in the maximum contract price for the contract term of July 1, 2023 through June 30, 2024.

**NOW, THEREFORE**, the parties hereto agree as follows:

1. That Amendment #1 shall be effective as of January 1, 2024.
2. That Maximum Contract Price, shall be amended to the following:  
\$1,190,715.
3. That the Schedule of Services, Exhibit "A" is amended to the revised Exhibit "A" attached hereto and incorporated herein.
4. That the Schedule of Charges and Payments, Exhibit "B" is amended to the revised Exhibit "B" attached hereto and incorporated herein.
5. That in all other respects the prior agreement of the parties shall remain in full force and effect except as amended herein.

COUNTY OF NEVADA:

By: HL  
Hardy Bullock  
Chair of the Board of Supervisors

ATTEST:

By: me ll  
Clerk of the Board

CONTRACTOR:

By: Scott W Lay  
Scott W Lay (Jan 30, 2024 11:55 PST)  
Nevada County  
Superintendent of Schools  
380 Crown Point Circle  
Grass Valley, CA 95945

**EXHIBIT "A"**  
**SCHEDULE OF SERVICES**  
**NEVADA COUNTY SUPERINTENDENT OF SCHOOLS**

Nevada County Superintendent of Schools, herein referred to as "Contractor", shall provide youth behavioral and mental health services to elementary school youth as funded by the Mental Health Services Oversight and Accountability Commission (MHSOAC) grant for the Mental Health Student Services Act (MHSSA) for the County of Nevada, Department of Behavioral Health, herein referred to as "County".

The California Legislature passed Senate Bill 75 in 2019, which included the Mental Health Student Services Act (MHSSA) to establish mental health partnerships between County Mental Health or Behavioral Health Departments and educational entities. The MHSSA incentivizes partnerships between behavioral health departments and education entities for the purpose of increasing access to mental health services in locations that are easily accessible to students and their families.

Nevada County Behavioral Health (NCBH), in partnership with Nevada County Superintendent of Schools (NCSOS), was awarded MHSSA funding by the MHSOAC through a competitive grant process. The grant-funded program will specifically target 8 elementary schools in Western Nevada County: Bell Hill Academy Elementary School, Scotten Elementary School, Deer Creek Elementary School, Williams Ranch Elementary School, Ready Springs Elementary School, Alta Sierra Elementary School, Cottage Hill Elementary School, and Grizzly Hill Elementary School. NCSOS will hire a Registered Behavioral Technician (RBT) to be located at each elementary school to provide in-classroom behavioral support to students, as well as two Board Certified Behavioral Analysts (BCBAs) to provide more advanced clinical support and supervise the RBTs across all 8 schools. Additionally, the grant-funded program will focus on enhancing the relationship and partnership between NCBH and NCSOS, with NCBH providing clinical and referral consultation, in addition to grant coordination and program evaluation.

In addition to the elementary schools served, the grant funded program will target three middle schools and one charter school to include: Magnolia Intermediate school, Seven Hills Middle School, Lyman Gilmore Middle School, and Yuba River Charter School. NCSOS will hire a Board Certified Behavior Analyst (BCBA) to provide services across all four schools, as well as hire four part time Registered Behavioral Technicians to be located at each school site. In addition to these staff NCSOS will hire a Lead BCBA position to supervise the BCBAs, provide consistency in programming across all schools and districts, as well as report on grant required data collection. The Lead BCBA position will be effective as of July 15, 2022. The other positions to include one BCBA and four part time RBTs will be effective upon execution of the contract amendment with MHSOAC reflecting the expanded MHSSA grant funding awarded in July 2022.

Despite progress in addressing explicit discrimination, racial inequities continue to be deep, pervasive, and persistent across the country. Though we have made many strides toward racial equity, policies, practices, and implicit bias have created and still create disparate results. Through partnerships with the community, Nevada County Behavioral Health strives to address these inequities and continue progress in moving forward.

Contractor is encouraged to have a diverse and inclusive workforce that includes representation from the disparate communities served by our county. Contractor is expected to think



holistically about creating services, program sites and an employee culture that is welcoming and inclusive. Contractor should track metrics on Diversity, Equity, and Inclusion outcomes within their service delivery. Additional efforts should be made to identify and highlight growth opportunities for equitable outcomes, access to services, and other opportunities. Contractor shall consult with County contract manager about proposed metrics to track.

Services should be designed to meet clients' diverse needs. Contractor will be expected to participate in trainings and tailor outreach efforts and marketing materials to engage a diverse population of community members. Given that Spanish is a threshold language in Nevada County, a special emphasis should be placed on engaging Latinx communities and providing services in Spanish.

**Registered Behavioral Technician Roles and Responsibilities:**

- Under the supervision of the BCBAs, the RBT's are primarily responsible for the direct implementation of skill acquisition and implementation of behavior support plans developed by the BCBAs, the clinical supervisor and in collaboration with the classroom teacher. The RBT will collect data and conduct certain types of assessments (e.g., stimulus preference assessments).
- Assists teacher by helping with classroom instruction and working with children during instructional activities. Assists in modifying classroom environment and homework lessons for students requiring modifications.
- Follow the prescribed behavioral skill acquisition and behavior reduction protocols.
- Collect data and measure outcomes.
- Conduct assessment of behaviors and stimulus preferences.
- Assist students with skill acquisition.
- Monitor student's behavior inside and outside of the classroom and accompany students to areas on campus.
- Provide families with support and tools to address problem behaviors.
- Daily record and maintain accurate data representing student's progress, occurrences of problem behaviors and other student information.
- Assist in introduction of items/targets as appropriate and according to the written protocol or as directed by Behavioral Analyst.
- Relay observations and suggestions to Behavioral Analyst.
- Maintain confidentiality to protect students, families and staff.
- Participate in testing students in a variety of areas, including academic and social progress.
- Assist in preparing and maintaining intervention materials.
- Attend a variety of in-service training sessions and other related meetings.
- Perform duties while adhering to the ethical requirements as outlined by the Behavioral Analyst Certification Board ([www.bacb.com/rbt](http://www.bacb.com/rbt))

- Conduct Functional Behavior Assessments (FBAs) for the purpose of developing Behavior Intervention Plans (BIPs)
- Plan and maintains a monthly work calendar that accurately accounts for services and Individual Education Plan (IEP) meetings; participates in the IEP process by presenting oral and written information and providing input; prepares IEP behavior reports, drafts measurable goals and objectives with strategies for meeting them, and updates progress reports.
- Provide support in all NCSOS special education classrooms, for any and all behavioral needs.
- Contact parents to discuss behavior events and to obtain signed behavior related forms.
- Registered Behavioral Technician staff will have the ability to provide one on one support to students and their families outside of school hours. This will be based upon interest and availability of RBT staff to provide this support. RBTs will spend one on one time with students while parents/guardians meet with therapists or other treatment staff of NCBH and/or its contracted providers. NCBH will coordinate with NCSOS for scheduling and availability of RBT staff during after school hours. RBTs may receive overtime pay for this purpose in accordance with NCSOS policies.

#### **Board Certified Behavioral Analyst (BCBA) Roles and Responsibilities:**

- The BCBA works in cooperation with the Behavior Support and Intervention Team at the various school sites throughout district; participates in the development of a coordinated positive behavior intervention program; consults with school principals and staff concerning appropriate learning strategies; and positive behavior interventions in order to support students to access instruction and to make academic progress in the least restrictive environment. The BCBA provides support and training to school site administrators, staff and parents/guardians in appropriate behavioral assessment, behavioral intervention techniques and the development and execution of behavioral intervention plans.
- Directly supervises RBTs, including holding regular individual and group meetings to discuss key challenges and successes, providing clinical guidance, and other administrative supervision duties.
- Develops and prepares ongoing support and training in current evidence-based practices of applied behavior analysis including discrete trial training, establishing classroom schedules, overall classroom management, and the implementation of specific instructional and behavioral strategies in the students' natural environment.
- Maintains and follows through on plans for the purpose of assisting in the training of students, family, district and special education staff in the use of behavior intervention and instructional strategies designed to assist students in learning replacement behaviors and generalizing skills across settings.
- Maintains and delivers "blended services" for students in a general education setting, who are in need of behavioral supports and/or more intensive structured teaching supports.
- Develops and creates behavior support materials and data collection materials; trains staff on materials.
- Works with district and special education staff in developing data collection systems, monitoring data collection, and analyzing data to ensure the effectiveness of interventions and instructional strategies.

- Provides consultation services to local school districts and partners, pertaining to curriculum supports and positive behavior systems.
- Consults with special education staff and partners for the purpose of developing interim intervention and transition plans for students moving to other learning environments.
- Attend on-going staff meetings to provide input, feedback and consultation.
- Collaborates with special education staff and partners to provide student-based protocols regarding therapeutic swinging procedures, Rhythmic Movements, affirmations and additional sensory and regulating programs.
- Participates in professional growth activities such as conferences, classes, staff meetings and program visitations.
- BCBAs will maintain list of mental health providers in the community and which insurances these providers accept, as well as eligibility requirements and referral processes for County behavioral health services.
- BCBAs will maintain regular contact with community based mental health providers once a referral has been made and ensure the student is following the treatment plan and that the school behavioral plan aligns with the mental health treatment plan.

**Contractor shall:**

- Hire and train eight (8) Registered Behavioral Technicians (RBTs) to be located at elementary schools in Western Nevada County.
- Hire and train four (4) part time Registered Behavioral Technicians (RBTs) to be located at middle schools and one charter school in Western Nevada County.
- Hire and train three (3) Board Certified Behavioral Analysts (BCBAs) to provide clinical support and supervise the 12 RBTs.
- Hire and train one (1) Lead Board Certified Behavioral Analyst to supervise the BCBAs, provide consistency in programming across all schools and districts, as well as report on grant required data collection.
- Provide administrative supervision and support to BCBAs and RBTs (identifying office space, managing schedule, performance reviews, class assignments, etc)
- Participate in SMART (Special Multi-Agency Resource Team) meetings as needed
- Track and report data required for grant evaluation reporting including: quarterly hiring report, monthly progress reports, quarterly evaluation reports

**County shall:**

- Attend quarterly clinical workgroup of BCBAs and RBTs hosted by NCSOS
- Convene quarterly governance group for oversight of grant activities
- Coordinate with Public Health to offer Know the Signs suicide prevention training for BCBA/RBT team, plus teachers/staff if applicable (Know the Signs)
- Coordinate grant deliverables and reporting with the MHSOAC

**Outcome data elements that will be tracked include:  
and outcomes:**

- Number of students needing additional support from RBTs or BCBAs
- Number of teachers trained in behavioral intervention tools/strategies and mental health signs and symptoms (including suicide prevention training)

- BCBA's attend at least 10 SMART and/or CFT meetings per year
- Number of RBTs trained and/or number of hours of training provided
- Data/improvement on suspensions and/or removal of children from classrooms
- Number of eligible students who are referred to County Behavioral Health services, and the number of referred students who engaged in County Behavioral Health services
- Reduce identified problem behaviors by 40% after one year of services
- Demonstrate improvement in behavior among 70% or more of participating students
- 90% of teachers with RBT or BCBA support in their classrooms feel better equipped to manage student behavior and mental health.



**EXHIBIT "B"**  
**SCHEDULE OF CHARGES AND PAYMENTS**  
**NEVADA COUNTY SUPERINTENDENT OF SCHOOLS**

The maximum obligation under this Agreement for satisfactory performance of services as outlined in Exhibit A shall not exceed \$1,190,715 for the contract term.

The contract maximum is based on the following estimated project budget:

Line Item	Amount
Registered Behavioral Health Technician (RBT) - 10.0 FTE,	\$456,577
Board-Certified Behavioral Health Analyst (BCBA) - 3.0 FTE	\$463,203
Lead Board Certified Behavioral Analyst (BCBA)-1.0 FTE	\$174,534
Program Supplies	\$7,000
Training & Mileage	\$1,200
Laptop/Equipment	\$0
Administration (Indirect @ 8.00%)	\$88,201
TOTAL	\$1,190,715

Should modification to or changes to the budget line items be needed, a written request for modification shall be submitted for approval to the Director or their designee. County at its sole discretion shall determine if the change will continue to meet the contract objectives and approve or deny the request.

**Billing and Payment**

As compensation for services rendered to County, Contractor shall bill County monthly and shall be reimbursed for actual costs incurred in carrying out the terms of the contract.

To expedite payment, a complete invoice submission includes:

- Invoice cover page on contractor template. Invoice cover page to include:
  - Invoice date
  - Unique invoice number
  - Resolution/purchasing order number assigned to Contract
  - Time period billed
  - Total invoice amount
  - Personnel hours being billed
  - Reimbursement expenses being claimed by funding source
- Budget Status Table with starting budget amounts, expenditures per billing period and remaining budget balance by budget line item.
- All applicable backup to support expenditures. Examples can include:
  - Detailed receipts
  - Financial reports
  - Payroll hours reports
  - Mileage reimbursement documents (mileage reimbursement rate may not exceed the current IRS allowable rate)

Contractor agrees to be responsible for the validity of all invoices.

County shall review the invoice and notify the Contractor within fifteen (15) working days if an individual item or group of costs is being questioned. Contractor has the option of delaying the entire invoice pending resolution of the cost(s). Payment of approved invoices shall be made within thirty (30) days of receipt of a complete, correct, and approved invoice.

Contractor shall submit invoices to:

Via mail:

HHSA Administration  
Attn: BH Fiscal  
950 Maidu Avenue  
Nevada City, CA 95959

Or

Via Email:

BH.Fiscal@nevadacountyca.gov  
CC: Contract Manager (refer to Notification section)

**Signature:** Scott W Lay  
Scott W Lay (Jan 30, 2024 13:55 PST)

**Email:** slay@nevco.org

**Title:** Superintendent

**Company:** Nevada Superintendent of Schools Office

**Signature:** Hardy Bullock

**Email:** Hardy.Bullock@nevadacountyca.gov

**Title:** Chair of the Board

**Company:** County of Nevada

**Signature:** Tine Mathiasen

**Email:** Tine.Mathiasen@nevadacountyca.gov

**Title:** Chief Deputy COB

**Company:** County of Nevada