

Requirements of PRTF legislation

In 2014 The NC General Assembly enacted Senate Bill 744-2014-100 Appropriations Act of 2014. This Bill outlines the following education requirements for Psychiatric Residential Treatment Facilities in North Carolina.

Legislative Requirements of PRTFs:

- Register with DOA Division of Non-Public Schools as a qualified non-public school
- Maintain PRTF license through the DHHS Division of Health Service Regulation
- Approval by DPI as an Exceptional Children's Program
- Provide educational related assessment and instruction to all eligible children
- Provide special education and related services to any child with a disability
- Provide 1 teacher for every 14 students
- Provide at least one teacher with a NC Professional Educator license in special education if there is a child with a disability
- Document deviations from educational and other programmatic requirements when it is medically necessary.
- Comply with all audit and accounting policies applicable to other public and private entities receiving public funding
- Notify DPI of all admissions and discharges
- Upon admission of a new child, request records from the child's last LEA
- Develop a transition plan upon discharge with the receiving LEA
- Maintain approval of non-public exceptional children's program which includes completion of an annual self-assessment

Legislative requirements for DPI:

- Process applications for PRTFs to be approved as non-public exceptional children's programs
- Notify DHHS if educational services are not being provided
- Transfer funds to DMH/DD/SAS for the purchase of educational services through an MOA between DPI and DHHS
- Offer training to PRTFs on compliance with special education laws and regulations
- Maintain a current list of names of children residing in the PRTF along with the name and contact information of the PRTF in which each child resides
- Develop and implement rules to monitor the delivery of educational services in PRTFs including a process to inform DHHS when services are not being provided
- Submit a joint report with DHHs to the Joint Legislative Education Oversight Committee and to the Joint Legislative Oversight Committee on Health and Human Services

Legislative requirements for DHHS

- issue an initial license to a qualified PRTF
- review the PRTF license for appropriate action upon notice by DPI that educational services are not being provided
- allocate funds and contract for reimbursement of educational services with funds transferred by DPI through an MOA between DPI and DHHS
- cease disbursement of funding if notified by DPI that a PRTF is not providing educational services
- submit a joint report with DHHS to the Joint Legislative Education Oversight Committee and to the Joint Legislative Oversight Committee on Health and Human Services

Legislative Oversight Report to be submitted annually in January

- annual number of children by age residing in a PRTF both with and without an IEP
- average length of stay of children
- types of educational services including number of hours each type of service has been provided
- costs and outcomes of providing educational services
- recommendations for improving efficiency and effectiveness of delivering educational services