

## **PRESS RELEASE**

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### **Educationally-Related Mental Health Services Restored After Lawsuit Filed By Civil Rights Coalition**

**November 2, 2010, LOS ANGELES**—A federal court in Los Angeles today approved a stipulated injunction which will temporarily restore educationally-related mental health services to California and Los Angeles County students who require the services to stay in school. In California, these life-saving mental health services are commonly known as “AB 3632” services.

A coalition --- consisting of Public Counsel, Disability Rights California, Gibson, Dunn & Crutcher, and Mental Health Advocacy Services, Inc. --- brought a statewide class action on October 21, 2010, against the Governor and various state and local defendants for unlawfully discontinuing funding for such services -- which include crisis counseling, case and medication management, and residential placement for students with severe mental health issues.

On Thursday, October 28, 2010, the coalition filed a request for a temporary restraining order and motion for preliminary injunction in federal court, asking the judge to order the California Department of Education “to ensure that students with disabilities who require educationally-related mental health services continue to receive these without interruption or delay.” The motion also sought injunctive relief against the Los Angeles County Department of Mental Health, the Los Angeles Unified School District, and the Los Angeles County Office of Education, among others, to compel them to continue providing these critical services to students.

Before the motion could be heard, an agreement was reached whereby the California Department of Education would release \$76 million of federal funds for the short-term continuation of these services, which are expected to benefit more than 20,000 students across the state. The California Department of Education also agreed to issue new directives regarding the obligations of local education agencies to provide these services, and to exercise its monitoring and enforcement authority under California law to ensure that each school district utilizes the funding to provide AB 3632 services, to which students are entitled under federal special education law. In addition, defendant

Los Angeles County Department of Mental Health agreed “to resume and continue to provide and monitor educationally-related mental health services . . . attend [Individualized Education Program] meetings and authorize services, and complete assessments . . . in accordance with the interagency agreements, policies, and practices for carrying out AB 3632 that existed prior to October 8, 2010,” until the federal funding released is exhausted or January 14, 2011, whichever event occurs first.

This initial victory is only a temporary solution to a much more serious long-term crisis. The class action lawsuit was prompted by the Governor’s line-item veto earlier this month, which struck the entire \$133 million in state funds allocated for AB 3632 services. The coalition will press forward to ensure that services are not disrupted, discontinued, or denied after the initial funding is exhausted.

To read the joint stipulations filed with the Court and other filings in the matter, please visit [www.publiccounsel.org](http://www.publiccounsel.org) and click on “Our Stories.”