

**REPORT/RECOMMENDATION TO THE BOARD OF SUPERVISORS  
OF SAN BERNARDINO COUNTY  
AND RECORD OF ACTION**

March 26, 2024

**FROM**

**JEANY ZEPEDA, Director, Children and Family Services**

**SUBJECT**

Non-Financial Agreement with the San Bernardino County Superintendent of Schools, Foster Youth Services Coordinating Program for Foster Youth Transportation Services

**RECOMMENDATION(S)**

Approve non-financial **Agreement No. 24-284** with San Bernardino County Superintendent of Schools, Foster Youth Services Coordinating Program, including non-standard terms, to coordinate transportation services for foster youth, for the contract period of July 1, 2024 through June 30, 2029.

(Presenter: Jeany Zepeda, Director, 387-2792)

**COUNTY AND CHIEF EXECUTIVE OFFICER GOALS & OBJECTIVES**

**Pursue County Goals and Objectives by Working with Other Agencies and Stakeholders.**

**FINANCIAL IMPACT**

This item is non-financial and has no impact on Discretionary General Funding (Net County Cost).

**BACKGROUND INFORMATION**

The recommended non-financial agreement will allow Children and Family Services (CFS) to coordinate transportation services for foster youth with San Bernardino County Superintendent of Schools, Foster Youth Services Coordinating Program (SBCSS – FYSCP). Through this collaboration, CFS seeks to increase school stability for foster youth in San Bernardino County as required under the 2015 Every Student Succeeds Act (ESSA). CFS has partnered with SBCSS – FYSCP since 2019 for these services.

The ESSA requires local education agencies collaborate with state and local child welfare agencies to develop and implement a clear written procedure governing the transportation of children in foster care to their school of origin, when in their best interest, including transportation funding for the duration of the time in foster care or enrollment period of the school. Federal child welfare law already requires child welfare agencies collaborate with education agencies to ensure school stability when it is in the child's best interest. This law creates reciprocal obligations on education agencies.

Under this agreement, CFS and SBCSS – FYSCP will ensure that foster youth needing transportation to the school of origin will promptly receive transportation in a cost-effective manner. If there are additional costs incurred in providing transportation, the school district and child welfare agency will develop an agreement regarding payment and/or reimbursement for

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such costs and bring it to the Board, as needed. This collaboration works to increase educational stability and success for foster youth in care.

The recommended agreement includes terms that differ from the standard County contract and omits certain County standard contract terms. While the parties negotiated certain contract terms to County standards, SBCSS – FYSCP requires mutual indemnification. The non-standard and missing terms include the following:

1. The County is required to indemnify SBCSS – FYSCP against all claims arising out of any act or omission or any property owned or controlled by CFS in the performance of the agreement.
  - The County standard contract does not include any indemnification or defense by the County of a contractor.
  - Potential Impact: By agreeing to indemnify SBCSS – FYSCP, the County could be responsible to defend and reimburse SBCSS – FYSCP for costs, expenses, and damages which could exceed the total agreement amount.

CFS recommends approval of the agreement, including non-standard terms, to allow for the continuation of these services, which support and encourage educational success for foster youth in care.

**PROCUREMENT**

N/A

**REVIEW BY OTHERS**

This item has been reviewed by Human Services Contracts (Patty Steven, Contracts Manager, 388-0241) on January 26, 2024; County Counsel (Kaleigh Ragon, Deputy County Counsel, 387-5455) on February 13, 2024; Risk Management (Victor Tordesillas, Deputy Executive Officer, 386-8623) on February 14, 2024; Finance (John Hallen, Administrative Analyst, 388-0208) on March 8, 2024; and County Finance and Administration (Cheryl Adams, Deputy Executive Officer, 388-0208) on March 11, 2024.

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Record of Action of the Board of Supervisors  
San Bernardino County

**APPROVED (CONSENT CALENDAR)**

Moved: Curt Hagman   Seconded: Joe Baca, Jr.  
Ayes: Col. Paul Cook (Ret.), Jesse Armendarez, Dawn Rowe, Curt Hagman, Joe Baca, Jr.

Lynna Monell, CLERK OF THE BOARD

BY  \_\_\_\_\_  
DATED: March 26, 2024



cc:    CFS - Bussard w/agree  
      Contractor - c/o CFS w/agree  
      File - w/agree  
CCM  03/29/2024