

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

October 22, 2024

**FROM**

**JOSHUA DUGAS, Director, Department of Public Health**

**SUBJECT**

Revenue Agreements with Education Agencies for County-provided School Nursing Services

**RECOMMENDATION(S)**

Approve revenue agreements to provide school nursing services, including non-standard terms, in an aggregate amount estimated to be \$75,000, for the period of October 9, 2024 through June 30, 2025, with the following education agencies:

1. Baker Valley Unified School District (**Agreement No. 24-996**)
2. Lucerne Valley Unified School District (**Agreement No.24-997**)
3. Mt. Baldy Joint Elementary School District (**Agreement No. 24-998**)
4. Encore Education Corporation (**Agreement No. 24-999**)

(Presenter: Joshua Dugas, Director, 387-9146)

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

**Provide for the Safety, Health and Social Service Needs of County Residents.**

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

**FINANCIAL IMPACT**

This item does not impact Discretionary General Funding (Net County Cost). The Department of Public Health (DPH) will receive revenue in an aggregate amount estimated to be \$75,000, for the period of October 9, 2024 through June 30, 2025, for health screening services provided to each of the education agencies (Schools) listed in the Recommendation. Adequate appropriation and revenue have been included in DPH's 2024-25 budget.

**BACKGROUND INFORMATION**

California Education Code sections 49452 et seq. requires that students in public schools receive health screening services to identify health conditions that can affect their learning and progress. DPH has been providing nursing services in schools for more than 45 years, including nursing consultations and screenings for hearing, vision, and scoliosis. Nursing services also include referrals and follow-up services based on screening results and, when otherwise unavailable, consultations and educational services for disease control and immunization concerns. Historically, DPH has provided nursing services for school districts that do not employ their own nurses.

Under the terms of the recommended agreements, DPH will perform approximately 3,300 screenings collectively at specified school sites and invoice for these services based on the number of students assessed. The Schools will pay an aggregate amount estimated to be

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October 22, 2024**

\$75,000 in revenue.

The agreements, except for Encore Education Corporation, contain non-standard terms that require approval by the Board of Supervisors (Board) per County Policy 11-05. The non-standard terms include the following:

1. The County is required to indemnify the School against third party claims.
  - The County standard contract does not include any indemnification or defense by the County of a contractor.
  - Potential Impact: By agreeing to indemnify the School, the County could be contractually waiving the protection of sovereign immunity. Claims that may otherwise be barred against the County, time limited, or expense limited could be brought against the School without such limitations and the County would be responsible to defend and reimburse the School for costs, expenses, and damages, which could exceed the total agreement amount.
  
2. The agreement does not require the School to meet the County's insurance standards as required pursuant to County Policy 11-07.
  - The County Policy requires contractors to carry appropriate insurance at limits and under conditions determined by the County's Risk Management Department and set forth in the County standard contract.
  - Potential Impact: The agreement does not include County standard insurance requirements. The Schools are self-insured entities, requiring the County to rely on the School's assurance that it will be financially responsible for claims that may arise through the term of the agreement, potentially resulting in expenses to the County that exceed the total agreement amount.

DPH recommends approval of the agreements, including the non-standard terms, so that the required services and screenings can be provided to the students. DPH will not provide services until agreements have been fully executed. This is the first available Board date following receipt of the signed agreements from the schools, as well as the required operational, fiscal, and legal reviews.

**PROCUREMENT**

Not applicable.

**REVIEW BY OTHERS**

This item has been reviewed by County Counsel (Adam Ebright, Deputy County Counsel, 387-5455) on September 13, 2024; Risk Management (Gregory Ustaszewski, Staff Analyst, 386-9008) on September 5, 2024; Finance (Iliana Rodriguez, Administrative Analyst, 387-4205) on September 20, 2024; and County Finance and Administration (Robert Saldana, Deputy Executive Officer, 387-5423) on September 20, 2024.

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Record of Action of the Board of Supervisors  
San Bernardino County

**APPROVED (CONSENT CALENDAR)**

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

Lynna Monell, CLERK OF THE BOARD

BY   
DATED: October 22, 2024



cc: Public Health - Correra w/agree  
Contractor - c/o Public Health w/agree  
File w/agree  
MBA 10/23/2024