

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

April 7, 2026

FROM

JAMES LOCURTO, Director, Transitional Assistance Department

SUBJECT

Non-Financial Memorandum of Understanding with Victor Valley Christian School for Exchange of Information

RECOMMENDATION(S)

Approve non-financial **Memorandum of Understanding No. 26-273**, including non-standard terms, with Victor Valley Christian School, for the exchange of information regarding mutual customers, to promote the participation of eligible student households in the CalFresh Program to increase the availability of healthy, nutritious foods for students and their families, for the period of April 7, 2026 through March 31, 2029.

(Presenter: James LoCurto, Director, 388-0245)

COUNTY AND CHIEF EXECUTIVE OFFICER GOALS & OBJECTIVES

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

FINANCIAL IMPACT

Approval of this item will not result in the use of Discretionary General Funding (Net County Cost) as the recommended Memorandum of Understanding (MOU) is non-financial in nature.

BACKGROUND INFORMATION

CalFresh, federally known as the Supplemental Nutrition Assistance Program and the National School Lunch Program (NSLP), are two of the largest food and nutrition assistance programs in California. The primary purpose of these social safety net programs is to ensure children facing economic hardship have consistent access to adequate, nutritious food.

The federal Child Nutrition and WIC Reauthorization Act of 2004, Public Law 108-265 (June 30, 2004) (Reauthorization Act), requires that any child receiving benefits under the federal Food Stamp Act be certified as eligible for free lunches under the National School Lunch Act (42 U.S.C. §§1751, et seq.) and free breakfasts under the Child Nutrition Act of 1966 (42 U.S.C. §§1771, et seq.) without further application.

The Reauthorization Act mandates that all agency types, including private and charter schools that participate in the NSLP or School Breakfast Program, implement a system of direct certification, and that the state/local CalWORKs/CalFresh departments work with agencies to achieve implementation.

Effective September 28, 2005, Assembly Bill 1385 added Section 49561 to the Education Code mandating the California Department of Education (CDE) to develop a computerized data match

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system to be used by all Local Education Agencies (LEAs) to directly certify school children receiving CalWORKs or CalFresh benefits for Free/Reduced Price (F/RP) school meals.

San Bernardino County (County) performs the federally mandated direct certification process for LEAs within the County's public school districts using of the student data received from the County Superintendent of Schools. LEAs that do not have access to the CDE's computerized data matching process, such as private and charter schools, are still required to use direct certification. Therefore, it is necessary to enter into a data sharing agreement in order to share data regarding students and their families in the interest of identifying other non-public LEA agency students, such as private and charter school students, who are eligible to be directly certified for F/RP school meals.

Under the terms of the recommended MOU, non-public LEAs, including private and charter schools, will send electronic lists of students to the County via a secure transmission method to ensure protection of personally identifiable student information. Human Services' Research, Outcomes, and Quality Support unit will run a data match report to determine CalWORKs and/or CalFresh eligibility status.

The MOU contains non-standard terms that require approval by the Board of Supervisors per County Policy 11-05. The non-standard terms include the following:

1. The MOU does not require Victor Valley Christian School (VVCS) to meet the County's insurance standards as required pursuant to County Policy 11-07.
 - The County Policy requires partner agencies to carry appropriate insurance at limits and under conditions determined by the County's Risk Management department.
 - Potential Impact: The agreement does not include the county standard insurance requirements. The County has no assurance that VVCS will be financially responsible for claims that may arise under the agreement, which could result in expenses to the County.

2. The County is required to indemnify VVCS from any and all claims, actions, losses, damages, and/or liability arising out of this Agreement to the extent actually caused by the negligent acts, errors, or omissions of the County.
 - The County standard contract does not include any indemnification or defense by the County of a contractor.
 - Potential Impact: By agreeing to indemnify VVCS, 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 VVCS without such limitations, and the County could be responsible to reimburse VVCS for costs, expenses, and damages.

TAD recommends approval of the MOU with VVCS, including the non-standard terms, to increase the participation of F/RP meals for eligible student households to ensure that children in economic hardships have consistent access to adequate, nutritious food.

PROCUREMENT

Not applicable.

REVIEW BY OTHERS

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This item has been reviewed by Human Services (Lisa Rivas-Ordaz, Contracts Manager, 388-0222) on February 9, 2026; County Counsel (Adam Ebright, Deputy County Counsel, 387-5455) on February 24, 2026; Risk Management (Stephanie Mead, Staff Analyst II Trainee, 386-9044) on March 2, 2026; and County Finance and Administration (John Hallen, Principal Administrative Analyst, 388-0208) on March 23, 2026.

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Record of Action of the Board of Supervisors
San Bernardino County

APPROVED (CONSENT CALENDAR)

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

Lynna Monell, CLERK OF THE BOARD

BY 
DATED: April 7, 2026



cc: TAD - Ettari w/agree
Contractor - c/o TAD w/agree
File - w/agree
MBA 04/9/2026