



# Board Agenda Item 70

DATE: June 24, 2025

TO: Board of Supervisors

SUBMITTED BY: Sanja Bugay, Director, Department of Social Services

SUBJECT: Agreement with Fresno County Superintendent of Schools for Title IV-E Foster Care Administrative Activities

## RECOMMENDED ACTION(S):

- 1. Under Administrative Policy No. 34 for competitive bids or requests for proposals (AP 34) determine that an exception to the competitive bidding requirement is satisfied and a suspension of competition is warranted due to unusual or extraordinary circumstances, and that the best interests of the County would be served by entering into an agreement with Fresno County Superintendent of Schools as the vendor is uniquely qualified to provide Foster Care Administrative Activities; and**
- 2. Approve and authorize the Chairman to execute an Agreement with the Fresno County Superintendent of Schools to allow reimbursement for Title IV-E eligible activities, effective July 1, 2025, not to exceed five consecutive years, which includes a three-year base contract and two optional one-year extensions, total not to exceed \$5,687,016.**

Approval of the recommended action will allow the Fresno County Superintendent of Schools (FCSS) to claim reimbursement for federal Title IV-E eligible activities associated with improving educational outcomes for foster youth. It is estimated that FCSS will be eligible to claim a maximum of \$5,687,016 over the duration of the Agreement. The Agreement is necessary as the Department is responsible for the administration of Title IV-E of the Social Security Act pursuant to Assembly Bill 490 (Chapter 862, Statutes of 2003) where the County is required to adhere to key provisions to support the educational opportunities within the best interest of the child in foster care and submission of claims to the State of California. The proposed Agreement is funded through Federal revenue, with no Net County cost. This item is countywide.

## ALTERNATIVE ACTION(S):

There is no viable alternative action as AB 854 requires a County of Superintendent of Schools to enter into an agreement with their County's Child Welfare Department to leverage funds received in drawing down Title IV-E dollars to be paid to FCSS. If the recommended action is not approved, FCSS cannot draw down federal funds allowable to supplement foster youth educational services.

## SUSPENSION OF COMPETITION/SOLE SOURCE CONTRACT:

It is requested that the County find under AP No. 34 that an exception to the competitive bidding requirement is satisfied, and a sole source is warranted due to Fresno County Superintendent of Schools operating the Foster Youth Services Coordinating Program (FYSCP) and its responsibility for providing services in accordance with Education Code Section 42920, 42926, et.seq., to serve dependent foster youth residing in Fresno County. AB 854 requires a County Superintendent of Schools with a FYSCP to enter into an

agreement with their County's Child Welfare department to leverage funds received in drawing down Title IV-E dollars to be paid to the County Superintendent of Schools. The General Services Department - Purchasing, concurs with the Department's assessment that this satisfies the exception to the competitive bidding process required by AP 34.

FISCAL IMPACT:

There is no increase in Net County Cost associated with this recommended action. The maximum cost of the Agreement is \$5,687,016 and will be offset with federal Title IV-E funds. Sufficient appropriations and estimated revenues are included in the FY 2025-26 Recommended Budget for the Department of Social Services Org 5610 and will be included in subsequent budgets.

DISCUSSION:

It has been consistently proven through various research, that California's foster youth experience low educational outcomes. Students in foster care are more likely than other students to change school during the academic year. Often, foster youth are enrolled into lower-performing schools. This leads to foster youth performing at the lowest participation rate in California's statewide testing program causing an achievement gap for students in foster care. Historically, foster youth constitute an at-risk subgroup distinct from low socio-economic status students for academic achievement. High school students in foster care have the highest dropout rate, making up the lowest graduation rate. Due to lower rates of educational success and support, foster youth often experience poor outcomes later in life, including higher unemployment, homelessness, and incarceration rates than their peers.

To support local communities, both the state and federal governments have taken steps to expand educational resources for foster youth through Title IV-E funding programs. Assembly Bill 854 requires County Offices of Education to enter into agreement with their County Child Welfare Departments for the purpose of leveraging Title IV-E funds for eligible activities to support foster youth. The local Department of FCSS which serves as the FYSCP is the Foster and Homeless Education Services (FHYES) Department. FHYES currently provides direct and indirect services that include academic counseling, advocacy, service coordination with the Department, assistance with facilitating immediate school placement for children entering foster care or changing caregiver placements, case management and emancipation assistance. Approval of the recommended action will allow FHYES to continue their work through the provisions as defined under Title IV-E eligible services.

Through a long standing, collaborative relationship between Fresno County Superintendent of Schools (FCSS) and the County, foster youth have been receiving supportive, educational services through FCSS's Foster Youth Services Coordination Program (FYSCP), the Foster and Homeless Education Services (FHYES) Department. For the past five (5) years FCSS has offered impactful services, such as assistance to approximately 100 high school seniors to help fill out Financial Aide forms for the 2024/2025 academic school year; coordinating and attending Network Improved Community (NIC) meetings with an overall goal of improving literacy rates for foster youth; providing training to each district on how to advocate for foster youth. FCSS intervenes when necessary and/or attends Child and Family Team (CFT) meetings; and partake in the Foster Care oversight committee and hosts a subcommittee for the districts/community colleges and Department of Social Services' (DSS) staff. In addition, FCSS provides training to DSS Social Workers and Social Worker Supervisors regarding educational services and how to utilize the Foster Focus program so they can access foster youth records. Lastly, FCSS, DSS and Fresno Unified School District developed a notification process in which DSS notifies school districts when any change is made regarding a foster youth's status from time of initial removal from their birth families through the time they reunify with their birth families or transition the foster care system. This notification process is monitored by FCSS, DSS and the school districts to ensure successful communication as it only implemented County wide in the 2024/2025 academic school year.

The recommended agreement includes a two-way indemnification where FCSS will indemnify and hold

harmless and defend the County (including its officers, agents, employees and volunteers) against all claims, demands, injuries and damages, costs expenses, fines, penalties, and liabilities of any kind to the County that arise from or relate to the performance or failure to perform by FCSS under this recommended agreement. The County may conduct or participate in its own defense without affecting the FCSS's obligation to indemnify and hold harmless or defend the County. The County will in turn indemnify FCSS under the same terms.

The Department and FCSS have made a consensual decision to remove the Self-Dealing Transaction Disclosures.

If approved, the recommended Agreement will be effective July 1, 2025 through June 30, 2028 and has the potential to be extended for two additional twelve-month periods upon satisfactory performance through June 30, 2030. The recommended Agreement may be terminated through written notice by FCSS or the Department's Director or designee no later than (30) days prior to the close of agreement term.

REFERENCE MATERIAL:

BAI 38, June 9, 2020

ATTACHMENTS INCLUDED AND/OR ON FILE:

Sole Source Acquisition Request Form  
On file with Clerk - Agreement with FCSS

CAO ANALYST:

Ronald Alexander