

County of Santa Clara Social Services Agency

Department of Development & Operational Planning
Office of Contracts Management



SSA03 060909

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DATE: June 9, 2009

TO: Board of Supervisors

FROM:

A handwritten signature in black ink, appearing to read "Will Lightbourne".

Will Lightbourne
Agency Director, Social Services Agency

SUBJECT: Approve Delegation of Authority to the Director of the Social Services Agency and the Chief of the Probation Department to Enter into an Agreement with the Santa Clara County Office of Education for the Development and Maintenance of an Interagency Data Warehouse

RECOMMENDED ACTION

Approve delegation of authority to the Director of the Social Services Agency, or designee, and the Chief of Probation, or designee, to negotiate, execute, amend and terminate a Memorandum of Understanding between the Social Services Agency, the Probation Department and the Santa Clara County Office of Education relating to the development and maintenance of an Interagency Data Warehouse with no cost for the period of July 1, 2009 through June 30, 2010

following approval by County Counsel as to form and legality, and approval by the Office of the County Executive. Delegation of authority shall expire on June 30, 2010.

FISCAL IMPLICATIONS

There is no impact to the County General Fund. The Santa Clara County Office of Education has determined there will be no costs incurred by any partner until the system has been launched successfully. Funding may be required from the Social Services Agency and Probation Department for data collection, back-up and protection, provider licenses, administrator training and support, system hosting and maintenance, application updates and project management upon completion of Phase II. The Social Services Agency and the Probation Department will prepare a transmittal outlining the funding details upon final determination of the cost.

CONTRACT HISTORY

On April 22, 2008, the Board of Supervisors approved delegation of authority to the Director of the Social Services Agency, or designee, and the Chief of Probation Department, or designee, to negotiate, execute, amend and terminate a Memorandum of Understanding with the Santa Clara County Office of Education relating to the development and maintenance of an Interagency Data Warehouse for the period of July 1, 2008 through June 30, 2009. Delegation of authority expires June 30, 2009.

REASONS FOR RECOMMENDATION

In accordance with the Board of Supervisors policy for entering into an agreement, the Social Services Agency and the Probation Department is requesting delegation of authority to enter into a Memorandum of Understanding with the Santa Clara County Office of Education. The Social Services Agency, the Probation Department, and the County Office of Education will continue to work together to develop and maintain an Interagency Data Warehouse.

BACKGROUND

In 2003, the California Legislature approved Assembly Bill 490 which amended the Education Code and the Welfare and Institutions Code to allow county offices of education, school districts, and county placing agencies (defined as the county social services department or county probation department) to develop cooperative agreements to facilitate confidential access and the exchange of pupil information by electronic mail, facsimile, electronic format or other secure means. In enacting these changes, the Legislature sought to clarify the responsibilities of education, probation, and social services agencies with respect to students who are dependents and/or wards of court and to eliminate institutional and systemic barriers that have previously prevented the sharing of information required to best serve the needs of such students.

The California Education Code states that any school district, including any county office of education, may participate in an interagency data information system that permits access to a computerized database system within and between governmental agencies or districts relating to information or records which are non privileged, and where release is authorized to the requesting agency under state or federal laws or regulation. A number of specific requirements must be met such as the development of security procedures, the securing of confidential data from unauthorized disclosure, the right to add, delete, or alter data, and the prevention of the disclosure or release of data.

Educators, county placing agencies, care provider's, advocates, and the juvenile courts must work cooperatively to ensure that students in foster care and/or wards of the court are placed in the least restrictive educational programs and have access to the same educational resources, services, and activities that are available to other students. The Social Services Agency, the Probation Department and the Santa Clara County Office of Education are developing procedures that will result in the timely transfer of health and education records and facilitate the immediate enrollment of students

who are in foster care and/or wards of the court. The Juvenile Court Education Partnership (previously Juvenile Education Task Force) meets monthly with the Santa Clara County Office of Education and continues to participate in the ongoing development of the roles and responsibilities of all parties involved in the education of children in foster care and/or wards of the court.

Three (3) school districts have signed Memoranda of Understanding with Santa Clara County Office of Education in Phase I of the pilot project. It has been determined that the initial Memorandum of Understanding between Santa Clara County Office of Education and the school districts did not require enough information from the districts to maximize the potential of the data warehouse. For Phase II, the Memorandum of Understanding has been revised to include a more comprehensive request for information in order for the data warehouse to efficiently assist with facilitating stability and educational opportunity in the best interest of each child in foster care and/or wards of the court.

Currently, the Santa Clara County Office of Education continues to spearhead the Interagency Data Warehouse implementation program and cover the costs which include, but are not limited to: project assessment, project management and strategic planning, county specific application configuration, data collection, testing and final system launch.

CONSEQUENCES OF NEGATIVE ACTION

Negative action will result in the Social Services Agency and the Probation Department's inability to enter into a Memorandum of Understanding with the Santa Clara County Office of Education to develop and maintain an Interagency Data Warehouse.

STEPS FOLLOWING APPROVAL

The Clerk of the Board will follow the usual steps for a transmittal of this type. The Director of the Social Services Agency and the Chief of Probation, or designee's, will negotiate and execute a Memorandum of Understanding with the Santa Clara County Office of Education and will forward a copy to the Clerk of the Board within 30 days of execution.