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DATE: March 20, 2018

TO: Board of Supervisors

FROM: Laura Garnette, Chief Probation Officer

SUBJECT: Amendment to Service Agreement with Law Foundation

RECOMMENDED ACTION

Approve Third Amendment to Agreement with Law Foundation of Silicon Valley relating to providing legal and advocacy services related to special education and general education increasing the maximum contract amount by \$9,000 from \$298,636 to \$307,636 with no change to the term of the Agreement, that has been reviewed and approved by County Counsel as to form and legality.

FISCAL IMPLICATIONS

There is no negative fiscal impact to the County General Fund associated with the approval of the recommended action. Probation utilizes juvenile state allocation funds which are incorporated into the Department's current level budget.

CONTRACT HISTORY

On January 12, 2015, the Social Services Agency (SSA) issued a (joint) Request for Proposal (RFP) through BidSync for the provision of Educational Rights Project (ERP) services for contractors to provide Legal Advocacy and Educational Advocacy Services for Social Services Agency and Probation Department youth. Law Foundation of Silicon Valley (LACY) was the successful proposer to provide legal advocacy services. The contract with the Probation Department resulting from the 2015 RFP was executed by the Procurement Department and services were set to begin on July 1, 2015 and were set to expire on June 30, 2016.

The agreement has been amended once through a legislative file to the Board of Supervisors, which changed it from a Procurement contract to a Board contract:

- First Amendment with LACY relating to providing Legal Advocacy and Educational Advocacy Services increasing the contract amount by \$97,850 from \$95,000 to \$192,850, and extending the agreement for a 12-month period through June 30, 2017.

The agreement has been amended once through the Master Contracts List (MCL) Delegation of Authority (DOA):

- Second Amendment with LACY relating to providing Legal Advocacy and Educational Advocacy Services increasing the contract amount by \$105,786 from \$192,850 to \$298,636, and extending the agreement for a 12-month period through June 30, 2018.

REASONS FOR RECOMMENDATION

This amendment is needed to increase the maximum financial obligation for FY18 because a larger population requires legal and educational advocacy services. In FY17, the local control formula for school districts changed substantially. This change resulted in the home school districts putting forth considerable effort to serve these particular youth; a substantial departure from the previous practice of most Probation youth being served by the County Office of Education. This practice change has created a significant increase in the number of youth who need this service. The increase in quantity of youth referred to these services necessitates an increase in the overall budget for the remainder of FY18.

CHILD IMPACT

This recommended action will impact the **Every Child Successful in Learning** and **Every Child Successful in Life** indicators. By providing legal and educational advocacy services to youth and families in the juvenile justice system, families will receive the necessary support and assistance and be better equipped to navigate the education system that is vital to healthy and productive youth and families.

SENIOR IMPACT

The recommended action will have no/neutral impact on seniors.

SUSTAINABILITY IMPLICATIONS

The recommended action will have no/neutral sustainability implications.

BACKGROUND

In 1999, the County of Santa Clara Board of Supervisors approved the development of the Educational Rights Project (ERP) to ensure that dependents and wards of the court receive appropriate educational services. The ERP is a joint partnership between the SSA, the Probation Department, the Office of the County Counsel, LACY, and the Morrissey-Compton Educational Center.

The mission of the ERP is to:

- Ensure dependents and wards of the Juvenile Court are in appropriate educational placements and receiving appropriate educational support to maximize their academic potential through (1) advocacy within the school system; and (2) consultation with parents, caregivers, service providers, youth, social workers and probation officers;

- Train and assist social workers, probation officers, and other stakeholders to identify the educational issues faced by children, youth, and families involved in the Juvenile Court and serve as an advocate for them;
- Ensure that children with special needs are identified and assessed for disabilities and provided with appropriate services;
- Inform parents, guardians, and substitute care providers of their right to request an educational assessment of their child/dependent;
- Teach parents, guardians, and substitute care providers how to access services and ensure the appropriate delivery of services;
- Empower parents, guardians, and substitute care providers to advocate on behalf of their children; and
- Support and promote the educational initiatives of the Santa Clara County Juvenile Court, SSA and Probation.

As part of the ERP, LACY provides legal consultation and technical support to the SSA and Probation staff, parents, educational rights holders and other legal caregivers in situations where a child's educational needs have not been fully met by the legal education agency, i.e. school district. LACY assists in legal advocacy to engage the school district in developing action plans that ensure children receive the resources needed to achieve academic success. This includes requests for Individualized Education Plan assessments (IEP), student study sessions to develop alternative plans to help a child succeed, and interventions regarding expulsions.

CONSEQUENCES OF NEGATIVE ACTION

If the Board does not approve the amendment to the agreement with the Law Foundation of Silicon Valley, the Probation Department will be unable to align the service agreement's budget to account for the increase in the number of youth referred to legal and educational advocacy services.

STEPS FOLLOWING APPROVAL

Following Board of Supervisors' approval, the Clerk of the Board's office will notify Mariel Caballero, Jennifer Wu, and Alexander Montes of the Probation Department of completed processing.

ATTACHMENTS:

- Amendment 3_Law Foundation_Advocacy&Educ_FY18_Final (PDF)
- Amendment 2_Law Foundation_Advocacy&Educ_FY18_Final (PDF)