

FIRST AMENDMENT TO THE JOINT POWERS AGREEMENT
BETWEEN THE COUNTY OF DAKOTA AND
INDEPENDENT SCHOOL DISTRICT 191
FOR BIRTH TO AGE 8 PROGRAM SERVICES

This is the First Amendment to the Joint Powers Agreement dated October 22, 2020, between the County of Dakota, by and through its Department of Public Health (“County”) and Independent School District 191, Burnsville, Minnesota (“School District”).

The parties hereby agree to amend the Joint Powers Agreement as follows:

1. The first paragraph of Article 1.1 is revised to state as follows:

Purpose. The purpose of this Agreement is to define the rights and obligations of the County and the School District. The County has created an online data sharing portal (“the Portal”) to which the Parties, pursuant to valid authorizations for release of information, will enter data on children related to the five key developmental milestone markers (“milestones”) from birth to age eight: (1) birth benchmark; (2) 0-36 months developmental screening(s); (3) early childhood screening; (4) kindergarten assessment; and (5) first, second, and third grade reading levels, and as described below. Such data shall be entered into the Portal by a color-coded indicator only (green, yellow, red “stoplight”) as described in Articles 2 and 3.

2. Article 1.3 is amended to state as follows: “Term. This Agreement is effective and enforceable on the date the last Party signs this Agreement (“Effective Date”) and expires on June 30, 2026.”
3. The first sentence of Article 2.A. is amended to state as follows: “Offer enrollment in the Program to children living in the School District (“enrolled child(ren)”), with attention to those who are at the highest risk, based on the indicators described in the chart under Article 1.1.”
4. Article 14.2 is amended to delete reference to Exhibit 1 – Legislation. Exhibit 1 is deleted in its entirety, as the pilot program described in the legislation ends on June 30, 2021.
5. Exhibit 2: The first paragraph is revised to state as follows: “As part of the Birth to Age 8 Program, the County will create and then add a birth benchmark to each enrolled child’s Portal profile, when data is available.” The fifth bullet point is revised to state as follows: “Whether the birth mother or child was enrolled in Medical Assistance (MA) or Women, Infants and Children (WIC) at the time of delivery.”

Other than the provisions modified above, the remaining terms and conditions of the Joint Powers Agreement shall remain in effect and may only be changed if agreed to in writing by both parties.

ELECTRONIC SIGNATURES

EACH PARTY AGREES THE ELECTRONIC SIGNATURES OF THE PARTIES INCLUDED IN THIS CONTRACT ARE INTENDED TO AUTHENTICATE THIS WRITING AND TO HAVE THE SAME FORCE AND EFFECT AS WET INK SIGNATURES.

IN WITNESS WHEREOF, the parties have executed this Amendment to the Contract on the dates indicated below.

Approved by Dakota County Board
Resolution No. 20-513

COUNTY OF DAKOTA

By _____
Marti Fischbach
Title Community Services Director

Approved as to form:

Date of Signature _____

/s/ Suzanne W. Schrader March 22, 2021
Assistant County Attorney/Date
County Attorney File No. KS-20-347-1

SCHOOL DISTRICT

(I represent and warrant that I am authorized by law to execute this Agreement and legally bind the School District).

Approved by School Board
Resolution No. _____

By _____

(Please print name.)

Title _____

Date of Signature _____