

AGREEMENT

THIS AGREEMENT, is made and entered into this ___ day of _____ 2006, by and between Ramsey County (referred to as the "County") and the Minnesota State Auditor (referred to as the "State Auditor").

WHEREAS, the State Auditor, pursuant to Minn. Stat. § 6.80, has the authority to grant a waiver from administrative rules or a temporary, limited exemption from enforcement of state procedural laws governing delivery of services by a local government unit; and

WHEREAS, Minn. Stat. § 13.32, subd. 3 states that educational data is private data on individuals; Minn. Stat. 13.05, subd. 4(d) states that private data may be disseminated to a person or entity if the subjects of the data have given their informed consent; and 20 USC 1232g (b)(1) requires written consent for the release of education records to be eligible for federal funds.

WHEREAS, it is agreed that it would be more efficient to allow the County to use the Application for Educational Benefits to determine eligibility for its reduced price food and child care assistance programs, provided informed, written consent is obtained from the subjects of the data.

WHEREAS, the County has requested a temporary, limited exemption from enforcement of state procedural laws governing delivery of services; and

WHEREAS, the State Auditor has granted the County a temporary, limited exemption from enforcement of state procedural laws governing delivery of services;

THEREFORE, it is agreed:

- I. **EXEMPTION AND WAIVER.** The County is hereby granted a temporary, limited exemption from enforcement of procedural requirements governing the collection and dissemination of information under Minn. Stat. § 13.32, allowing the County to use one application form for reduced price food and child care assistance programs, provided written consent is obtained from the subjects of the data.

- II. **OUTCOMES.** Through the implementation of this exemption and waiver, the County intends to improve the services delivered student mothers by reducing the number of application procedures they must go through to obtain assistance through these programs. This exemption will assist the County in achieving the following outcomes:

- a. Improved school attendance on the part of students with children.
 - b. Progress toward high school graduation with their current classmates.
 - c. Graduation rates at or higher than the overall percentage of students with children.
 - d. Children will be cared for in a safe and licensed child-care setting.
- III. BARRIERS. Current laws that restrict the dissemination of private information create a barrier in achieving these outcomes. Requirements for separate income eligibility standards for subsidized child care leads some teen mothers not to follow through with application and verification, and when they are unable to afford on-site child care, drop out of school entirely.
- IV. REPORTING AND EVALUATION. The County agrees to the following to allow the State Auditor to measure the outcomes included in this Agreement.
- a. By May 10, 2007, the County will prepare a written report detailing the efficiencies achieved from the temporary, limited exemption during the previous year and assessing the service outcomes achieved, including the number of individuals who were approved for subsidized child care and their progress toward high school graduation.
 - b. The County agrees to provide the State Auditor with annual status reports, which are due May 10, 2007.
 - c. The State Auditor shall, during the course of the agreement, evaluate the County's performance under the terms of this agreement. The State Auditor reserves the right to request additional information from the County to carry out its evaluation.
- V. TERM OF AGREEMENT.
- a. This agreement shall be effective on August 31, 2006, or upon such date as it is executed by the County and the State Auditor, whichever occurs later, and shall remain in effect until ten (10) days after adjournment of the 2007 regular legislative session, unless the legislature has acted to extend or make permanent the exemption.
 - b. The County may re-submit an application upon termination of the agreement to extend the agreement. The State Auditor will

review the renewal application, reports and evaluations in determining whether to approve an extension of the agreement.

VI. CANCELLATION.

a. Upon the County's failure to comply with any provision of this agreement, the State Auditor may rescind this agreement. The rescission shall be effective upon the State Auditor giving the County written notice.

b. The State Auditor and the County may mutually agree to cancel this agreement at any time.

VII. LIABILITY. The County agrees to indemnify and save and hold the State Auditor and its agents and employees harmless from any and all claims or causes of action arising from the performance of this agreement by the County or the County's agents or employees. This clause shall not be construed to bar any legal remedies the County may have for the State Auditor's failure to fulfill obligations pursuant to this agreement.

Ramsey County

Minnesota State Auditor

Chairman

Minnesota State Auditor

Date

Date

Recommended By:

Human Services Manager

Date